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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION ACT OF 1981

HEARING

BEFORE THE

SUBCOMMITTEE ON CIVIL SERVICE, POST OFFICE, AND GENERAL SERVICES

OF THE

COMMITTEE ON GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
NINETY-SEVENTH CONGRESS
FIRST SESSION

ON

S. 1421

OCTOBER 20, 1981

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION ACT OF 1981

TUESDAY, OCTOBER 20, 1981

U.S. Senate,
Subcommittee on Civil Service,
Post Office, and General Services,
Committee on Governmental Affairs,
Washington, D.C.

The subcommittee met at 9:30 a.m., in room 3302, Dirksen Senate Office Building, Hon. Ted Stevens (chairman of the subcommittee) presiding.

Present: Senators Stevens, Eagleton, and Mathias.

OPENING STATEMENT OF SENATOR STEVENS

Senator **Stevens**. Good morning. This morning we will hear testimony on S. 1421, a bill which would remove the National Archives and Records Service from the General Services Administration and make it an independent Federal agency.

Beginning in the early fifties, when the Federal Property and Administrative Services Act transferred the National Archives to GSA, there has been strong concern in the historical and archival communities that the mission and function of the National Archives were not appropriate to GSA.

Foremost among these concerns has been the potential for political abuse, the possible underfunding of records preservation, and the question whether final authority for the valuable historical record of the United States belongs in an agency primarily responsible for property management.

Events over the past three decades have led some people to apprehensions that are well justified. A few years ago, a well-intentioned but, according to some, misguided effort to decrease housing of records costs prompted a plan to transfer many records from the National Archives to regional centers. This some contend would have placed considerable hardship upon historians, archivists, genealogists, and other principal users, requiring them to travel from center to center to pursue research.

There are allegations that vital records management functions have suffered because the present organizational arrangements have prevented proper allocation of budget funding. This lack of funding has been cited as the cause of inadequate fire protection. As a result, a 1978 fire in a GSA warehouse destroyed large quantities of valuable historical newsreel film. It has also meant that irreplaceable early Revolutionary and Civil War document materials have been endangered through unsatisfactory heat and humidity control.

Proponents of independent status for the Archives argue that it has the potential to give archival and management programs greater recognition. Moreover, before it acts to create another Federal agency, Congress will insist on knowing that the step proposed is superior to all existing alternatives. We also need to know the cost of the proposal involved before us today. I hope the testimony we will hear this morning will help us make that judgment. I am submitting for the record a prepared statement of Senator Eagleton.

[The prepared statement of Senator Eagleton follows:]

OPENING STATEMENT OF SENATOR EAGLETON

I want to thank Senator Stevens for holding this hearing on S. 1421, legislation which I introduced along with Senator Mathias, to separate the National Archives and Records Service (NARS) from GSA and to establish NARS as an independent agency in the Executive Branch.

I made a lengthy statement at the time this legislation was introduced, so I'll keep my comments brief today.

The problem addressed by this legislation is not new. Historians and archivists have attacked the wisdom of placing NARS within GSA almost from the day the transfer was effected. As long ago as 1963, Senator Mathias expressed strong reservations about "the concept that GSA should become the guardian of history as well as the custodian of washrooms, storerooms, and workrooms." Mounting evidence, and a long series of studies, suggests that my colleague hit the nail on the head, and that the historians and archivists were right from the start. In my view, the present situation of NARS, as a part of GSA, demands immediate congressional attention and substantial revision.

In saying this, it is not my intention to assign the blame for any or all problems at the Archives to GSA and its administrators, while absolving NARS and the Archivists from all fault. It is my belief, however, that the current awkward relationship between GSA and NARS has contributed to many of the problems at Archives. It also creates a situation in which authority and responsibility are divided and muddled, where too often in the past, finger-pointing and scapegoating have prevailed, rather than decisive leadership. In my view, whatever formidable problems now confront the Archives, they can be addressed far more effectively when the current organizational mismatch is cured.

The case for an independent archives, where crucial decisions are made by expert professionals, is stronger now than ever before. No pricetag can be placed on preserving our historical records, but the archivist's work assumes importance only over a long period of time. The Archives is an enticing target for the short-sighted, tunnel-visioned, budget cutting fervor of the the day. The Archives needs to be liberated from its current position, and given the visibility and independence to compete for a share of scarce federal budget resources. Within GSA, NARS will always be, in the words of one scholar, "a stepchild in a conglomerate business-oriented agency that has never understood [its] professional role or [its] program requirements."

Defenders of the status quo will undoubtedly argue that the issue of moving NARS out of the shadow of GSA should be carefully studied, but this is one issue that has been studied and studied and re-studied. While Congress should not act precipitously to reorganize executive agencies, we should also not leave serious problems to fester year after year, decade after decade, until some crisis captures our attention.

Senator STEVENS. The first witnesses this morning are Mr. Kline and Dr. Warner.

TESTIMONY OF RAY KLINE, DEPUTY ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION; AND ROBERT M. WARNER, ARCHIVIST OF THE UNITED STATES, GENERAL SERVICES ADMINISTRATION, ACCOMPANIED BY CLAUDINE WEIHER, DEPUTY ASSISTANT ARCHIVIST FOR PROGRAM SUPPORT; AND RICHARD JACOBS, ASSISTANT ARCHIVIST FOR PROGRAM SUPPORT

Mr. **Kline**. Thank you for the opportunity to appear before you today to testify on S. 1421, a bill to establish an independent National Archives. I am here on behalf of Mr. Gerald P. Carmen, Administrator of GSA, who is opposed to this bill as unnecessary to the functioning of an effective National Archives accessible to the people in this country. Both Mr. Carmen and I are sensitive to the significance of the National Archives as a cultural resource and to the unique considerations which distinguish it from the other service agencies of GSA.

It is an objective of the Reagan administration to bring the operations of the executive branch under sound businesslike management. In the specific case of GSA and NARS, we continue to be persuaded by organizational concepts of the Hoover Commission which recommended the grouping of functions under the President to maximize economy, efficiency, and control. Such an approach is particularly appropriate in an organization as large and diverse as the Federal Government.

As you know, NARS includes not only the responsibilities of the National Archives, but Government-wide responsibilities for the management and storage of records and paperwork of the executive branch. These responsibilities form an important component of the overall responsibilities assigned to GSA to cut the cost of Government. Management and reduction of paperwork will receive increasing attention in the coming months.

It will be our objective to improve the performance of NARS along with the rest of the agency. Dr. Warner has already taken steps to strengthen the management of NARS, and we expect to continue these efforts toward further improvement with particular attention to streamlining the NARS organization, the preservation of historical materials, and a critical assessment of requirements for records storage facilities.

We expect to meet the commitments we have set for ourselves, thereby insuring that NARS operates effectively in serving the needs of the American people.

Thank you, Mr. Chairman.

Senator **Stevens**. Thank you.

Dr. Warner, do you have a statement?

Mr. **Warner**. Yes, sir. Thank you.

Upon becoming Archivist of the United States some 15 months ago, my position on the organizational placement of the National Archives and Records Service was a matter of record—as president of the Society of American Archivists I had advocated the separation of NARS from the General Services Administration, and I was a member of a national committee advocating this same position. In my first speech to NARS employees as Archivist, I acknowledged my former position on the issue and stated that as a member of the executive branch and an appointee of the Administrator of GSA it would not be appropriate, and indeed I had no intention of leading a movement to secure such separation. I further stated that my proper role as Archivist of the United States was to build a strong National Archives and Records Service. That view has not changed and I think the employees of NARS, the historical and archival professions, and the current leadership of GSA respect and understand it.

My relationships with Mr. Carmen, the Administrator, and his Deputy, Ray Kline, are amicable, professional, and supportive. My appearance and remarks here today, in fact, attest to the constructive and forthright nature of this relationship. The Reagan administration is opposed to the proliferation of independent agencies at this time of constrained resources and the need to compress Government, rather than to expand it. The Administrator of GSA therefore opposes S. 1421.

I, therefore, support that position. My remarks will be directed to those fundamental and basic issues to be carefully considered and reflected upon in any review of the authorities and responsibilities provided to the Archivist of the United States. Organizational placement is not among them. What are those issues?

First and foremost is the need to preserve the faith of the citizenry that the history of this Nation rests upon documented evidence of what has gone before. The greatest guarantee that this principle continues to be observed is that body of expert historians and archivists in concert with the Congress and other public-spirited citizens who will rise up in national debate over any attempt to depart from that fundamental principle.

Second is the authority to decide which records of Government agencies have continuing historical value, and to determine which of those records should be placed into the National Archives.

Third is the need for the Archivist to have access to those centers of power throughout the Government which are responsible for prescribing and enforcing policies and regulations that affect Government-wide archival and records activities.

Fourth is the need of the Archives, shared by all agencies of Government, to have adequate resources with which to carry out its important public trust. Adequate is, in the final analysis, a subjective determination. No agency can exist totally free from the Nation's shifting views of priorities or its ability to afford all that it desires. Nonetheless, preservation of our historic documentary heritage for future generations must always rank high in these priorities.

Fifth is the need for the Archivist to have a strong and persuasive voice in the creation and maintenance of current records in order to assure the documentation and ultimate archival availability of those important current decisions which will form valuable additions to the history of the Nation. In the archival world, we call this the life cycle of records concept. It should be apparent that none of the issues I have just mentioned is primarily addressed by the placement of the Archives on the organizational diagram of the Government. They are, instead, most properly addressed through professional and cooperative dealings among those individuals in power at any point in history, carefully observed and even debated by those citizens most qualified in the fields of history and archival management. That is, in fact, one of the major forces which has brought us together today.

Would a change in placement on the organizational chart of the Government eliminate the need for that observation and national debate? I think not. It is thoroughly healthy and must continue under any circumstances.

For our part, the Administrator and I will continue to address these issues with vigor and take whatever steps are necessary and appropriate to protect and preserve the documentary heritage of this Nation and the prominence of the National Archives.

We will pursue that objective within the supportive climate of administrative, legal, and other assistance presently provided to the Archives by GSA.

Senator STEVENS. Thank you very much, and I appreciate your frank statement of your past position concerning the issue before us.

What is the budget, Dr. Warner, that you work with now?

Mr. WARNER. It is roughly $90 million. I might suggest that my associates who accompanied me here, Ms. Weiher, Deputy Assistant Archivist for Program Support, and Mr. Jacobs, Assistant Archivist for Program Support, with your permission, might join us for some of the technical questions. I think they can provide more specific data than I can.

Senator STEVENS. I will be happy to have them join you.

I would like to know whether anyone has determined what the additional cost of this bill would be. What would it cost to have an independent agency as opposed to being responsible to GSA?

Mr. WARNER. There has not been a study within NARS to ascertain the mechanisms of accomplishing this aim and the cost that might be brought about by this change.

Senator STEVENS. Are there any past policies of GSA that have inhibited NARS from carrying out its basic directive as far as the preservation of our Archives is concerned?

Mr. WARNER. There has been a long history of relationships; some of that relationship has been positive. As you know, coming on the scene fairly recently, my relationships have been very positive, but I am sure in the past there have been problems.

Senator STEVENS. I am talking about regulatory control from GSA over your policies which you or your predecessor have argued with as far as control and preservation of the Archives, have there been any such disputes?

Mr. WARNER. I think when you get into areas such as budget and budget priorities and whether funds should be expended for such purposes, there probably have been debates on that that would influence policy. I am sure there have been debates at times on such policies.

Senator STEVENS. Who, basically, has the authority to determine whether Federal records go to the Archives or to any other place for storage?

Mr. WARNER. The historical value is determined by the Archivist. As I understand the law, and my associates can correct me, the final determination of accessioning permanently valuable records into the National Archives can be determined by the Administrator of General Services.

Mr. **Jacobs**. The Administrator has that authority given to him in law to determine what goes into the National Archives or to determine what is to be disposed of. Under normal circumstances, those authorities are delegated to the Archivist; at the present time they are delegated to the Archivist.

Senator **Stevens**. Aren't you basically dependent upon the contributing agencies or individuals to determine what goes to storage in the first instance as far as accessions to the records storage in general?

Mr. **Jacobs**. In the normal course of events, records from an agency go into our records centers for storage; after their location in the records centers some portions are identified as having continuing value and are accessioned into the National Archives. That would be based upon an appraisal judgment by the Archivist and his staff; but the final determination to take them into the Archives is within the authority of the Administrator.

Senator **Stevens**. Do you have authority to review other agency disposal plans? I was at a meeting the other day on negotiated law of the sea, at which one of the participants told me that one time when he went back to his office, he found a group of people carrying handfuls of his records to the incinerator.

What rules determine the preservation of records as far as the Government is concerned?

Mr. **Warner**. I will speak on that, and let Mr. Jacobs follow up. This is, of course, a continuing problem. There are authorities and regulations, but I think we would be pleased if they were strengthened and clarified as to what, for example, is a record under the law, and then what is our authority for acquiring this record. I am sure the example you gave, Senator, is probably repeated in other areas, and that certainly is a shame because it has potential for serious damage to the historical record of this country. We should have in the regulatory mechanism the resources and personnel to be sure that the records are carefully evaluated and those that do have permanent value are preserved and end up in the National Archives. I am afraid that doesn't always occur.

Senator **Stevens**. Isn't there a 30-year backlog in terms of reviewing and appraising what you already have? Wouldn't it be better, rather than having a separate agency like the one proposed in this bill, if you strengthened your representation in each Federal agency and had someone there to review records before they were disposed of?

Mr. **Warner**. The strengthening of our effectiveness in the field is a desirable goal. And you are correct, there is a backlog of unprocessed material. This problem is becoming more acute all the time. One of the things we have found, sir, is that reference service has increased enormously in the last several years. This has meant that we have had to postpone the processing arrangement and description of many of the records, thereby building a backlog which does cause a very serious problem now, but an even greater problem for the future.

Senator **Stevens**. Thirty years of backlog is a considerable backlog.

Mr. **Warner**. It is enormous.

Senator STEVENS. How do you figure the 30 years? In man-hours or what?

Ms. WEIHER. The backlog in terms of processing at the National Archives is figured in terms of man-hours required to complete the remaining number of records series.

Senator STEVENS. Will this proposal before us today have anything to do with eliminating the backlog? How would that eliminate the backlog?

Mr. WARNER. I think per se it would not eliminate the problem. The only thing would be added resources and people to do that job. Perhaps you could say another structure might facilitate a solution, I don't know. But the things that are going to eliminate the backlog are people sorting and processing and getting the records described.

Senator STEVENS. Does GSA have any redundancy as far as the Archives are concerned? Do they have people that tell them what to do?

Mr. KLINE. No, sir, there is very shallow superstructure on top of the Archives. I personally deal with Dr. Warner quite a bit; the Administrator does so somewhat less frequently. We do not have a companion organization at GSA that is mounting any kind of detailed oversight over Dr. Warner.

Senator STEVENS. What kind of budget oversight is there?

Mr. KLINE. We have a conventional comptroller-type organization which has the job of handling the liaison with the Office of Management and Budget and coordination with the appropriate committees in the Congress. That organization issues guidelines, receives a list of requirements from the Archives, reviews those, prepares them for review by the agency management, and puts the paperwork together, and so forth.

Senator STEVENS. I understand you oppose this bill. However, in the event it should be passed, do you have any comment about the manner in which it is drafted or the impact of it? For instance, is there any portion of the Archives' responsibility you feel should stay with the GSA if the bill should be enacted?

Mr. KLINE. Yes, sir. I think that one thing that would have to be thought through very carefully is the relationship of this legislation with mandates of the Paperwork Reduction Act, Public Law 96-511, passed during the last Congress. That legislation has given us a rather large charter, in cooperation with the OMB, to do a far more effective job in getting the paperwork of the bureaucracy under better control.

Quite candidly, we have under consideration the bringing together of that part of NARS that has to do with information management with the people who have the responsibilities for automated data and telecommunications; we are considering merging them into a single organizational structure. The technology is driving us that way, and we think that in terms of our responsibilities under the act, such a merger may turn out to be a more effective way of addressing our responsibilities under Public Law 96-511.

Senator STEVENS. What about the records centers that you indicated in your opening statement? I have felt that the concept of regionalization was a good one as far as preliminary storage.

What would happen to these regional centers if this bill passed?

Mr. **Kline**. My own view is that structure would remain intact. The records centers would remain under the direct supervision of the Archivist of the United States.

Senator **Stevens**. Is part of GSA's function storage? My own records are ultimately going to the university in my State. Would that be managed by the Archivist or by GSA?

Mr. **Kline**. The thinking right now, and I am giving you some preliminary thoughts here, which I think is what you are after, I think that the thing that we have to be sensitive to is that the Archivist is in the proper position to determine what should go into the Archives and what should not. And in terms of how that paper flows, I think he should be there in the first instance to address these issues. Later on, having made his determination as to what should go in the records centers—not archival records centers, but just a mammoth paper center—perhaps some other arrangement could be made.

But my instinct in the first or preliminary analysis here would be to keep that together.

Senator **Stevens**. I am trying to find out whether passage of this bill would lead to duplication out in the regions by having a GSA records storage center and a NARS storage center.

Mr. **Kline**. No, sir, it would not. It would not necessarily lead to that, and I can't imagine why anyone would try to set up a duplication of records centers under GSA or anybody else.

Senator **Stevens**. Would the storage capacity required for GSA records go to the Archives?

Mr. **Kline**. We are treated just like any other agency in the Government. We have our own records prior to the time that they are retired to the NARS system, but once we enter that realm, then we are like any other agency; they become the responsibility of NARS.

Senator **Stevens**. Dr. Warner, do you have any further comment?

Mr. **Warner**. Yes. I would like to add, I support Mr. Kline's position in that discussion. One additional important fact about records centers: they do have in their own right a very important archival function. Eleven of the records centers have archival branches where people come and do historical research, where permanently valuable records are stored, not temporarily, but permanently. They do have usefulness.

One of the most important functions of the National Archives is this deciding factor, what we are going to keep permanently and so forth. This appraisal function is currently located in the records center area. So, the records centers do play a really major function in carrying out the historical part of the Archives' mission; it is absolutely fundamental.

Senator **Stevens**. Isn't the initial storage of documents and records merely a custodial function?

Mr. **Warner**. It is. This is part of the life cycle of records concept. We feel that to segregate the really significant, permanently valuable records of the United States, that we should be in on that total cycle from the time they are created, through their storage in records centers, where some will stay until they are thrown away and some small proportion will end up permanently accessioned to the National Archives. We think that this principle—following the records through the process of creation until they are put in the National Archives and made available for research—is very important, makes good sense, and is the effective way to handle that particular problem.

Senator STEVENS. The Bureau of the Census wants you gentlemen to state on the record that the enactment of this bill will not in any way affect the agreement that protects census records for 72 years. Is that correct?

Mr. JACOBS. I don't know anything about the Bureau of the Census' inquiry there.

Senator STEVENS. I am making an inquiry for them. Will you answer for the record what impact the enactment of this bill will have between you and the Bureau of the Census as far as access of census record data?

Mr. JACOBS. There will be no impact.

Mr. WARNER. Census records are extremely valuable to the NARS. They are one of the primary sources of genealogical research, one of our heaviest uses. We cherish those records; they are very important.

Senator STEVENS. Is it true your agreement preserves them for 72 years?

Mr. WARNER. As I understand the history, it used to be the figure was 70 years, and then there was some discussion at the time of the last census opening that extended that to a 72-year period before they are made available for research.

Senator STEVENS. Only Strom Thurmond will be around when they open. [Laughter.]

Mr. WARNER. That is quite a monumental event, when they are opened. We will be opening the 1910 census next year and there is considerable anticipation for that opening. Census records are a very important resource for historical research and genealogical research. We cherish those records.

Senator STEVENS. If we live on the basis of statistics 72 years old, you will not grow very fast. I can't understand the number 72.

Senator EAGLETON. I can explain the 72. It used to be 70; the 2 is inflation. [Laughter.]

Mr. Chairman, I made a very lengthy statement on this bill at the time Senator Mathias and I introduced it. I won't belabor it at this point. I ask unanimous consent that a brief statement of mine be made part of the record as though read.

Senator STEVENS. It will be, at the beginning of the hearing today.

Senator EAGLETON. And I compliment you, Mr. Chairman, on holding these hearings. You covered the matter very ably in your skillful examination. I thank you.

Senator STEVENS. Thank you, gentlemen.

Senator MATHIAS. I have several questions for Mr. Kline and Dr. Warner.

Senator STEVENS. Would you like to ask them now? Go right ahead, we have plenty of time.

Senator MATHIAS. What I would like to do is submit them in writing.

Senator STEVENS. Yes, sir. I will ask all witnesses to respond to questions from the members. We will keep the record open for 10 days to get those responses.

Does that meet with your approval?

Senator MATHIAS. That will be fine. I appreciate the Chair's indulgence.

[Responses of Mr. Kline and Mr. Warner to written questions submitted by Senator Mathias follow:]

MR. KLINE'S RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR MATHIAS

1. What are the missions of the General Services Administration? What are the missions of the National Archives and Records Service? Are they legislatively mandated? Do you see any dissimilarities between the missions of GSA and those of NARS?

(a) The General Services Administration (GSA) was established in 1949 to provide for the Government an economical and efficient system for managing its property and records. The missions include coordination and direction of a Government-wide program for the management, procurement, and utilization of automatic data processing and telecommunications equipment and services; procurement and distribution of supplies Government-wide; design, construction or leasing, operation, protection, and maintenance of buildings; archives and records management, operation of the Presidential Libraries, and publication of laws, constitutional amendments, Presidential documents, and administrative regulations; procurement and management of stockpile of strategic and critical materials; administration of the Government-wide transportation management, motor pool and motor equipment management, travel management, and public utilities management programs, and the postaudit of transportation payments; development and administration of the Federal Procurement Regulations; and operations of the Consumer Information Center, Federal Information Centers, and Business Service Centers Programs.

(b) NARS is responsible for promoting improved records and information management practices in Federal agencies; storing and servicing agencies' noncurrent records in records centers; determining the appropriate disposition of all Federal records; preserving, arranging, describing, and servicing the permanently valuable records of the Federal Government in the National Archives of the United States; publishing laws, constitutional amendments, Presidential documents, the Federal Register and related publications; preserving and administering the historical materials in the Presidential libraries; preserving the Nixon Presidential historical materials; providing staff support to the National Historical Publications and Records Commission; providing central services to Federal agencies and the public on audiovisual materials produced by or for Federal agencies; and overseeing Federal agencies' advisory committees through the Committee Management Secretariat.

(c) Most of NARS' mission is mandated by law, specifically chapters 15, 21, 22, 25, 29, 31, and 33 of Title 44, United States Code. NARS records declassification program has its basis in Executive Order 12065 and advisory committee oversight was assigned to GSA by Executive Order 12024. The National Audiovisual Center was established by Bureau of the Budget Bulletin 69-7 (1968), and its functions increased by OMB Circular A-114 (1978).

(d) GSA's primary mission is to provide centralized, efficient, and economical services to Federal agencies. NARS records centers and records management programs provide this service for agency management of records and information. The Federal Register provides a centralized regulatory publications function, and the National Audiovisual Center provides centralized services for the sale and rental of audiovisual products. Although NARS archival and Presidential programs are more historical and cultural in nature, and primarily serve the general public rather than Federal agencies, these programs are viewed by NARS as integral steps in the life cycle of records to ensure that a historical record of the Government is created and preserved for the benefit of the public.

2. Who administers the Regional Records Centers: a GSA Administrator or a NARS administrator? Why? Did NARS ever administer the regional records centers?

Since the establishment of GSA in 1949 the administration of the regional records centers, has been under the control of the GSA Regional Administrator in each of the GSA regions. The reason for this arrangement is to have day-to-day operational responsibility for all GSA services in a particular region under the same individual to ensure accountability and the ability to provide responsive regional services. Policy and program direction were and still are provided by the Central Office program officials.

3. What is a "federal record"? What agency is charged with determining what is and is not a "federal record"? Describe the records management process from the GSA perspective.

According to the Federal Records Act of 1943 (now 44 U.S.C. 3301), Federal records are " . . . books, papers, maps, photographs, machine-readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or legitimate successor as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the Government, or because of the informational value of the data in them . . . "

Traditionally, the determination of what constitutes a Federal record has been made jointly by Federal agencies and GSA (NARS). At the time of creation or receipt, a Federal agency decides whether or not the documentation is an official (Federal) record. Once it is determined that the documentation is a Federal record, the provisions requiring the approval of NARS prior to disposition apply. If the agency determines that the documentation does not constitute a Federal record, the agency is free to dispose of the material however it chooses without the approval of NARS.

This traditional authority of NARS was undermined seriously by a recent opinion by the Department of Justice, regarding the State Department's proposed disposition of transcripts of telephone conversations by Secretary of State Henry Kissinger. The opinion stated that "In our view, nothing in the governing statutes requires an agency to follow GSA's decisions as to whether documents are 'records', or even to allow GSA to participate in the identification process." Obviously, this decision can be used to deny to the Archivist of the United States any role in determining what is a Federal record.

GSA/NARS plans to submit proposed legislation to ensure that the Administrator of GSA will have a role in such determinations.

Attached is a chart showing the total volume of records held in each of the Federal records centers as well as a breakdown by branch and major executive department/agency for the total records center system. Also enclosed is a chart showing the records holdings of principal government agencies as of September 30, 1980.

Some clarification is necessary insofar as the question about whether or not the records in records centers have been turned over to the archives by Federal agencies. Records in the Federal records center system are in the physical custody of the General Services Administration. Legal custody remains with the agency that created the records or is responsible for their administration. The only records housed in Federal records centers that actually are in the legal custody of GSA are those of defunct agencies for which GSA has become the successor-in-interest and records which have been appraised as having continuing value and are housed in regional archives branches in some of the Federal records center buildings. Both legal and physical custody of these latter records has been transferred to GSA's National Archives and Records Service.

4. What, in your opinion, is the greatest threat to federal records?

The great proliferation of records and information combined with technological change is rapidly changing the very nature of records and recordkeeping. The job of determining which of the "records" has continuing value and of ensuring their continued preservation becomes difficult and challenging.

~~5. Standard User Charges, or SLUC charges as~~ they are called, are the floor space charges GSA imposes on federal agencies. They comprise a significant part of the Archives total budget. What percentage do they comprise this (1982) fiscal year? How does that percentage compare with previous years? How does that percentage compare with other federal agencies' total budgets?

SLUC charges in the initial 1982 National Archives and Records Service's direct budget comprise approximately 31 percent of the total direct budget. This percentage, of course, will vary depending upon the reductions in funding imposed as part of the revised FY 1982 budget.

SLUC charges as a percent of NARS direct budget in past years follows:

FY		Percent
1975	Actual	21
1976	Actual	26
19TQ	Actual	24
1977	Actual	26

1978	Actual	26
1979	Actual	25
1980	Actual	24
1981	Actual	25

NARS does not have information regarding other agencies' payments for SLUC.

6. Describe the sprinkler system in the main National Archives building. When was it installed? Is there a fire protection plan for the Main Archives building that has been agreed to by the D.C. Fire Department? Describe.

The north section of the building is partially protected by an automatic sprinkler system installed during the initial construction of the building. The south section (stack area) is protected by a hydraulically designed automatic sprinkler system installed in 1973. Coverage by this system includes all stack and tier levels and basement on the south side of the building. The system consists of 14 risers, 7 for the southwest tiers and 7 for the southeast tiers. Each riser provides protection for three tier levels (one floor level). All control valves are located in the basement and all sprinkler water flow alarms are monitored in the guard office and receive the same response as a manual pull station.

The National Archives has a written plan (GSA Order, NARS-845.1C dated September 11, 1979) for fire reporting and emergency evacuation of the Archives building. NARS is in the process of updating the plan and we will confer with the fire department prior to implementing the updated version.

7. After the second fire at the Suitland Federal Records Center, the House Committee on Government Operations, Subcommittee on Government Information and Individual Rights conducted an extensive investigation. Its Fifth Report, dated October 31, 1979, contained twenty-two specific recommendations. What actions has GSA taken to implement those recommendations related specifically to it?

7a. That Public Buildings Service should install an air conditioner at Suitland that will dehumidify and ventilate as well as cool, if Archives continues to store film at Bldg. C.

The air-conditioning system presently in operation at Suitland is designed to cool the building and as a by-product, dehumidification occurs. The temperature in each vault may be controlled individually. The system is able to recirculate air, but will not ventilate--a new system would be required for this. In 1981, a backup compressor was installed.

7b. That PBS should bring the Suitland vault bldg. up to National Fire Protection Assn. stds. for whatever use the bldg. is put to.

Building C is used to store film (film vault). Installation of a heat detection system is 75 percent complete. Installation of the system should be completed during the next several months. System is not operational until 100 percent complete.

7c. That hygrothermographs be installed to measure the humidity in all of Bldg. C's vaults.

No hygrothermographs have been installed.

7h. That PBS spend $750,000 to upgrade environmental conditions at the main Archives building as soon as possible.

PBS has recently spent in excess of $750,000 to upgrade the environmental conditions at the main Archives building, specifically, installation of a $932,000 computerized environmental monitoring system was accomplished during mid-1981. The system is designed to continuously monitor the temperature and humidity in each storage area. Information will also be available as to the condition of air returned from, and sent to the storage areas by the 17 air-handling systems in the building. The system is currently operational, however, the installing contractor is still making adjustments and probably will continue to do so for several months.

8. What role does the Archives have in determning position descriptions for NARS? What role does GSA play in determining those same position descriptions?

Position descriptions are initially drafted by NARS officials and submitted to the GSA Personnel Branch servicing NARS. The Personnel Branch employees review the proposed position against classification standards and existing functional statements for the organization. Results of the review are discussed with NARS officials and the position description is revised until it is acceptable to the Personnel officials who have classification authority.

9. What enforcement powers does NARS have toward other federal departments and their records management plans and programs? Does it, for example, have standing to sue other agencies which are mismanaging federal records or refusing to turn them over to NARS? Should it have such powers.

NARS enforcement powers include authority to inspect agency records management programs, authority to approve or disapprove agency requests to destroy records, and authority to accept for storage in its records center only those records which have been properly scheduled for disposition. As a practical matter, NARS enforcement powers are limited to inspections and reporting agencies bad practices to OMB and the Congress in its inspection reports and Annual report. NARS is able to inspect only three or four agency records management programs each year. These in-depth inspections require extensive resources, and usually include lengthy on-site work at the agency.

The authority to approve or to disapprove disposition schedules is important. In connection with this authority, NARS appraises records for their historical value. NARS and agencies, from time to time, disagree on the historical value of records and on the retention period for disposable records. NARS has ultimate responsibility for determining the historical value, but the agency has ultimate responsibility for determining the retention period for disposable records. (NARS recently submitted a list of records with long retention periods to the House Subcommittee on Government Information.)

Insofar as agency records centers/holding areas are concerned, authority exists allowing the inspection of such centers to determine an agency's compliance with Facility Standards which have been established and published.

NARS does not have standing to sue other agencies over their mismanagement of their records programs or the standing to enforce the transfer of records to the National Archives once a determination has been made that the records have continuing value. As noted under question 3, GSA/NARS also lacks an enforcement role in the determination of what is a Federal record. Such authority would give NARS ultimate responsibility for all Federal records, and, if exercised judiciously, could go a long way toward improving government economy and efficiency regarding records creation, maintenance, and disposition.

10. What is the additional volume of records for which NARS will be responsible between now and 1990? the year 2000? What plans does GSA have to accommodate this growth? How much floor space will be needed to accommodate the volume of records previously cited? How much of that will have to be in Washington rather than a regional center?

Archival records

Between now and 1990 the National Archives should accession 520,800 cubic feet of records. The figure represents the volume currently eligible for offer to the National Archives plus the volume which will become eligible between now and 1990. An additional 27,000 cubic feet of records will become eligible for transfer during the period 1990 through the year 2000. Because of resource and other limitations, the actual volume accessioned through 1990 will be about 168,000 cubic feet, or 32 percent of the eligible records. From 1990 through 2000 plans call for accessioning an additional 150,000 cubic feet.

NARS will be acquiring 125,000 square feet of space in Alexandria, Virginia to provide temporary storage space for archival materials through 1987. NARS and GSA will be working jointly to develop a long-range space plan for archival records.

Records Center Storage

By 1990 it is projected that the records center system will house 18 million cubic feet of records. This is a projection based on the increase that occurred between 1970 and 1980. By the year 2000 it is estimated that the holdings of the records center system based on the rate of growth will total 25.2 million cubic feet. Attached is a chart showing how NARS has projected its space needs in order to accommodate this growth. An additional 6.1 million square feet of floor space will be needed to accommodate this volume of records. Approximately 1.1 million square feet of that space will need to be in the Washington area in order to handle the records of Headquarters of Federal agencies.

It should be pointed out, however, that budget reductions may force cancellations of some records center expansion plans projected for the next 2 to 3 years. Until such time as the budget situation is clarified it is not possible to determine the full impact the reductions may have on NARS records center and other space needs.

11. What are GSA's criteria for space for NARS materials? Are those criteria any different than GSA's criteria for other federal agencies space needs?

Archival Records Storage

GSA space criteria for archival storage are found in the following GSA handbooks:

1. NARS, National Archives Procedures, NAR P 1848.1A (part 1 of chapter 3, Enclosure 5, covers environmental controls and storage conditions)

2. PBS, Buildings Firesafety Criteria, PBS P 5920.9 (chapter 8, Enclosure 2) provides firesafety standards for archival storage areas.

3. The proposed change to FPMR 101-11.412.2 (Enclosure 4) refers to special requirements, such as environmentally controlled and filtered storage space, and specifies firesafety criteria for archives space.

Records Center

Every effort has been and continues to be made to ensure that the GSA space criteria for its own records centers not only are consistent, but also that they parallel as closely as possible the GSA space criteria for records centers of the other Federal agencies. Although the GSA space criteria are issued in different publications, listed below, they are essentially the same, generally verbatim, for both GSA and other Federal agencies.

Basic space criteria for temporary records maintained in NARS records centers are contained in separate GSA handbooks as follows:

1. NARS, Records Center Operations, NAR P 1864.1A (part 2 of chapter 3, Enclosure 1, covers overall space criteria).

2. PBS, Building Firesafety Criteria, PBS P 5920.9 (Chapter 8, Enclosure 2, provides firesafety standards for storage occupancies, including GSA and other agency records centers and archives).

The GSA space criteria applicable to records centers of other Federal agencies are contained in the following publications:

1. GSA/NARS, FPMR, Section 101-11.412.2 (Enclosure 3). Currently certain subsections of this regulation are being updated (see GSA/NARS proposed rule, Enclosure 4 published in volume 46, No. 173, of the Federal Register, issued September 8, 1981.

2. PBS, Buildings Firesafety Criteria, PBS P 5920.9 (Chapter 8, Enclosure 2) provides firesafety standards for storage occupancies, including GSA and other agency records centers and archives.

12. What is your position on maintaining the National Archives in a "central Washington location"?

I would agree with the Archivist that certain amounts of the records that constitute the National Archives of the United States should always be maintained in the National Archives building and other Washington area facilities, while other kinds of records are appropriate for retention in regional centers outside Washington. NARS has established regional archives branches housed in 11 of its Federal records centers and deposited in them records created by the Federal district courts, field offices of certain Federal agencies, and some records of regional agencies, such as the Tennessee Valley Authority. NARS believes that such records are primarily of regional and local interest and do not have to be kept together with the records created by the headquarters offices.

13. Public Buildings Service response

14. For fiscal year 1983, did the GSA rank order the elements of the GSA budget in terms of funding priorities? Where does the Archives fall in that ranking? Would you provide that rank ordering for the record?

OMB Circular A-10 prohibits us from disclosing budgetary materials in any form outside the executive branch until the President formally transmits the FY 1983 budget to Congress. However, attached is the FY 1982 ranking for GSA which was sent to OMB in September 1980 as part of the Zero Based Budget submission. It shows where the National Archives and Records Service programs were ranked in terms of funding priorities.

15. Public Buildings Service response.

16. Mr. Kline, the SLUC charges for NARS budget, are one-third of that agency's budget. They have taken a significant jump in fiscal 1982. Why? Is this same jump evident in other federal agencies' budgets? Cite other federal agencies which have one-third or more of their total budget devoted to SLUC charges.

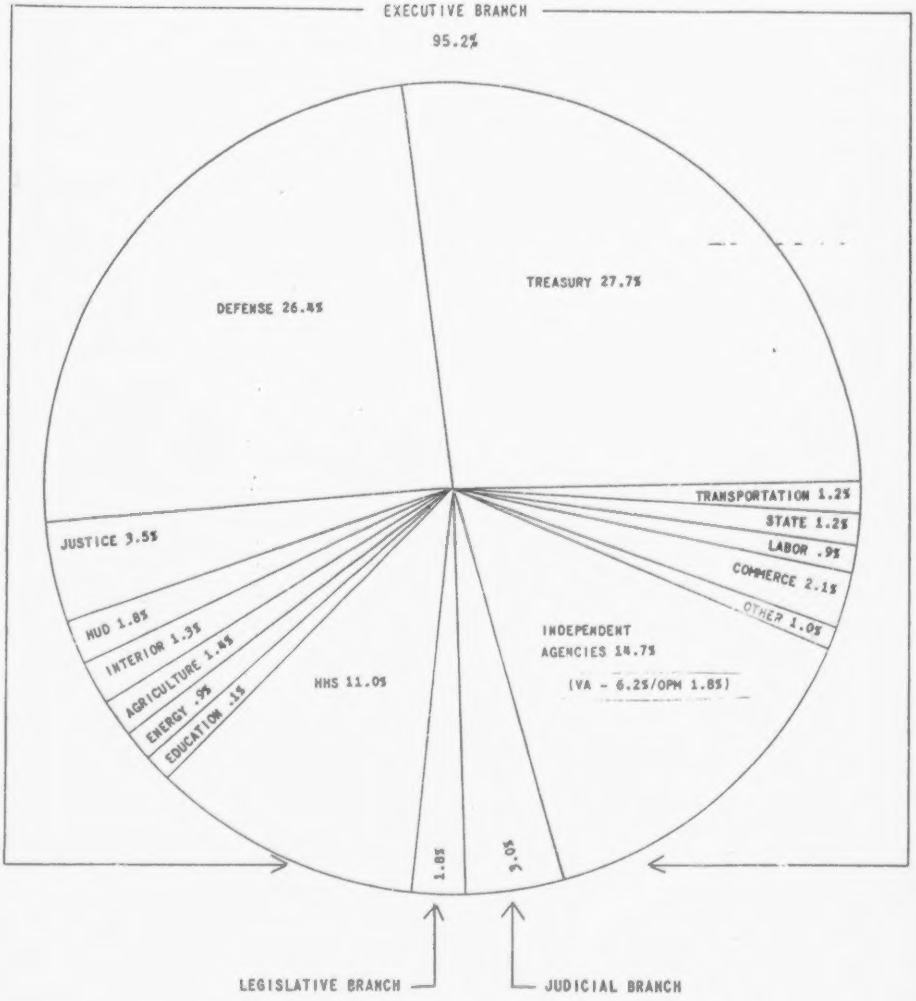
The increase in SLUC in 1982 is primarily a result of rate increases. Most of this is in Washington, DC, area. The National Archives building alone accounts for $4.5 million of this increase.

RECORDS HOLDINGS - FY 81

Centers	Volume (cubic feet)
Boston	366,668
New York	840,557
Philadelphia	601,913
Mechanicsburg	541,201
Atlanta	935,830
Chicago	785,493
Dayton	805,856
Kansas City	615,256
Fort Worth	755,509
Denver	619,196
San Francisco	687,956
Los Angeles	425,432
Seattle	510,281
Washington	2,884,015
St. Louis	3,074,064
Total	14,499,227

RECORDS HOLDINGS OF FEDERAL RECORDS CENTERS

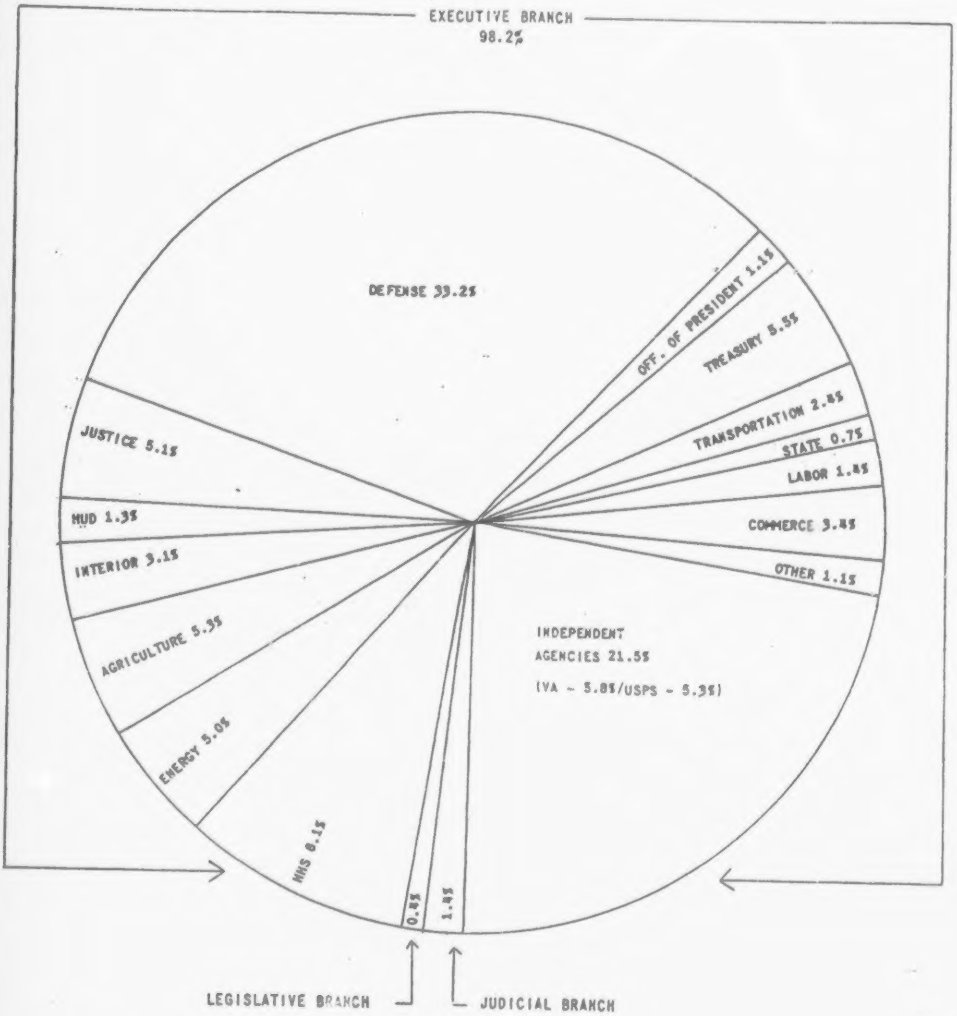
AS OF SEPTEMBER 30, 1980



Prepared by the Office of Federal Records Centers, NARS, GSA

SOURCE: GSA Forms 1102

RECORDS HOLDINGS OF GOVERNMENT AGENCIES AS OF SEPTEMBER 30, 1980
(Excluding those in Federal Records Centers)



Prepared by the Office of Federal Records Centers, NARS, GSA

SOURCE: SF-136s

Question 10

Additional volume in Federal records centers exclusive of Archives Branches and courtesy storage of congressional and presidential materials.

	Holdings	Increase	Cumulative Increase
By end of FY 1981	14,449,157		
		4,388,000	
By end of FY 1990	18,837,000		10,817,000
		6,429,000	
By end of FY 2000	25,266,000		

Increases are based on an approximately 3% annual growth rate.

Additional volume in Federal records centers including archives and courtesy storage.

FY 1981	15,023,210		
		5,108,000	
FY 1990	20,131,000		11,952,000
		6,844,000	
FY 2000	26,975,000		

How much floor space will be needed to accommodate this volume in Washington and the regions?

	Assigned Space (End of FY 1981) square feet	Additional Space Required by 1990 square feet	Additional Space Required by 2000 square feet
Washington, DC	794,085 (20% of total)	200,000	280,000
Regions	3,086,768	1,070,000	964,000
Total Cumulative	3,880,853	1,270,000	1,244,000
Total	3,880,853	4,955,000*	6,199,000

Current assigned space includes office space, storage space, archives areas, and all other non-storage space associated with the records centers. Projections for 1990 and 2000 include only requirements for additional storage and archives space.

*Adjusted to reflect the closing of Mechanicsburg.

Location of Center	Assigned Space 1/ (Net sq. ft.)	ADDITIONAL SPACE NEEDS IN THOUSANDS OF SQUARE FEET, BY FISCAL YEAR 2/ 3/																			
		1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Waltham	92,135	0	0	0	0	32	0	0	0	0	0	0	0	0	0	40	0	0	0	0	0
Bayonne, NJ	240,000 4/	0	0	0	0	0	40	0	0	0	0	0	40	0	0	0	0	40	0	0	0
Philadelphia, PA	157,950	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Philadelphia, PA Annex	0 4/	125	0	0	0	0	0	40	0	0	0	0	40	0	0	0	40	0	0	0	40
Mechanicsburg, PA	195,000	This Center to close in FY 1980																			
Suitland, MD	794,085	0	0	80	0	0	0	40	40	0	40	40	0	40	40	0	40	40	40	40	0
East Point, GA	226,981 4/	0	0	40	0	0	0	0	0	40	0	0	0	0	40	0	0	0	40	0	0
Chicago, IL	177,557 4/	0	29	29	0	19	0	0	0	40	0	0	0	0	40	0	0	0	40	0	0
Dayton, OH	160,000	40	0	0	0	0	40	0	0	0	40	0	0	0	0	40	0	0	0	0	40
Kansas City, MO	145,498	0	40	0	0	0	0	0	0	40	0	0	0	40	0	0	0	0	0	0	0
Ft. Worth, TX	189,081 4/	0	0	21	0	0	0	21	0	0	0	21	0	0	21	0	0	21	0	0	21
Denver, CO	148,395	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Clearfield, UT Annex	0 4/	0	0	40	40	0	0	0	0	0	0	0	0	0	0	0	0	0	0	40	0
San Bruno, CA	155,154 4/	0	0	34	0	0	0	0	34	0	0	0	0	0	40	0	0	0	0	0	40
Laguna Niguel	159,620	0	73	0	0	0	0	0	0	40	0	0	0	0	0	0	40	0	0	0	0
Seattle, WA	115,595	0	0	0	0	53	0	0	0	0	0	0	0	0	40	0	0	0	0	0	0
St. Louis, MO (MPR)	518,095	0	0	0	40	0	0	0	0	0	0	40	0	0	0	0	40	0	0	0	40
St. Louis, MO (CPR)	405,007	0	0	0	0	0	0	0	0	0	40	0	0	0	0	40	0	0	0	0	0

1/ Assigned space under Federal Building Fund, exclusive of outside parking, as shown on the SLUC bills for the fourth quarter FY 1981.
2/ Construction or renovation must be completed by the beginning of the fiscal year specified. The FY 1981 committments have not been met and the FY 1982 requirements have been deferred because of budget cuts.
3/ These projections are used for planning purposes and are reviewed and updated annually.
4/ These projections include planning for Archives Branch expansion.

§ 101-11.412 Agency records centers.

§ 101-11.412-1 Authority.

Federal agencies are authorized to maintain and operate records centers for the storage, processing, and servicing of appropriate records when these centers are approved by the Administrator (44 U.S.C. 3103). Centers operated by Federal agencies are referred to in this Part 101-11 as "agency records centers."

§ 101-11.412-2 Facility standards for agency records centers.

Inspection of agency records centers by GSA shall include an evaluation of the agency's compliance with the facility standards for records centers specified below:

(a) General.

(1) The facility should be a single-story building constructed with noncombustible materials.

(2) A floor load limit shall be established for the records storage area by a structural engineer. The allowable load limit shall be posted in a conspicuous place and shall not be exceeded.

(3) Steel shelving or other open-shelf records storage equipment shall be braced to prevent collapse under full load in accordance with Federal Specifications AS-S-271 or AA-S-1047. The records storage height shall not exceed 15 feet. Agencies operating records centers which have storage heights in excess of 15 feet may apply in writing to the General Services Administration (NC), Washington, DC 20408, for an exemption to this requirement. If a request for exemption is denied, agencies will be required to remodel existing centers to meet the 15-foot requirement.

(4) The area occupied by the center shall be equipped with an anti-intrusion alarm system, or equivalent, to protect against unlawful entry after hours.

(b) Fire safety.

(1) All walls separating records storage areas from each other and from other portions of the building shall be 4-hour fire resistant. Two-hour-rated firewalls shall be provided between the records storage areas and other auxiliary spaces. Penetrations in the walls shall not reduce the specified fire-resistance ratings.

(2) Openings in firewalls separating records storage areas shall be avoided as far as possible but if openings are necessary they shall be protected by self-closing or automatic Class A firedoors, or equivalent, on each side of the wall openings.

(3) Roof support structures that cross or penetrate firewalls shall be cut and supported independently on each side of the firewall.

(4) If firewalls are erected with expansion joints, the joints shall be protected to their full height with No. 10 iron astragals lapping the opening on each side of the firewall.

(5) Building columns in the records storage areas shall be 2-hour fire-resistant from the floor to the point where they meet the ceiling or roof framing system.

(6) Automatic roof vents shall not be designed into new or existing buildings.

(7) Where light steel roof or floor supporting members; e.g., bar joists having top chords with angles 2 by 1½ inches or smaller, thickness one-fourth inch or smaller, and web diameters thirteen-sixteenths inch or smaller are present, they shall be provided with a 10-minute fire-resistant coating. The coating will be applied only to the top chords.

(8) Furnace or boiler rooms shall be separated from records storage areas by 4-hour-rated firewalls, with no openings directly from these rooms to the records storage areas. No open flame (oil or gas) equipment or unit heaters shall be installed or used in any records storage area.

(9) The arrangement of the records storage equipment shall be such that there shall be no dead-end aisles. Equipment rows running perpendicular to the wall shall terminate at least 18 inches from the wall.

(10) No oil-type electrical transformers, regardless of size, except thermally protected devices included in fluorescent light ballasts, shall be installed in the records storage areas. All electrical wiring shall be in metal conduit, except that armored cable may be used where flexible connections to light fixtures are required.

(11) All records storage and adjoining areas shall be protected by automatic

wetpipe sprinklers. Automatic sprinklers are specified herein because they provide the most effective fire protection for high-piled storage of paper records on open-type shelving.

Note.—Other automatic extinguishing systems or protective measures may provide an acceptable level of fire-loss risk depending upon specific conditions, such as type or importance of the records, the type of storage equipment used, or how the space is designed, controlled, and operated. For a discussion of these measures, refer to the guides on records protection available from the National Fire Protection Association (NFPA 232 and NFPA 232AM). Also, consult the Chief of the Accident and Fire Prevention Branch in the GSA regional office about these systems and protective measures.

(12) The sprinkler system shall be rated at 286 degrees Fahrenheit and designed to provide 0.30 gpm per square foot for the most remote 1,800 square feet of floor area with a minimum flowing pressure of 7.0 psi at the most remote sprinkler head. Installation shall be in accordance with Standard Number 13 of the National Fire Protection Association.

(13) Maximum spacing of the sprinkler heads shall be on a 10-foot grid and the positioning of the heads shall provide complete, unobstructed coverage, with a clearance of not less than 18 inches from the top of the highest stored materials.

(14) The sprinkle system shall be equipped with a water-flow alarm connected to a continuously staffed fire department or central station, with responsibility for immediate response.

(15) A manual fire alarm system shall be provided with central station service or other automatic means of notifying the municipal fire department. A manual alarm pull station shall be located adjacent to each exit. Supplemental manual alarm stations are permitted within the records storage areas.

(16) All water cutoff valves in the sprinkler system shall be equipped with automatic closure alarm connected to a continously staffed station, with responsibility for immediate response.

(17) A dependable water supply free of interruption shall be provided. This normally requires a backup supply system having sufficient pressure and capacity to meet both firehose and sprinkler requirements for 2 hours.

(18) Interior firehose stations shall be provided in the records storage areas, equipped with 1½-inch diameter rubber or latex hose, enabling any point in the records storage area to be reached by a 50-foot hose stream from a 100-foot hose lay.

(19) In addition to the designed sprinkler flow demand, 500 gpm shall be provided for hose stream demand. The hose stream demand shall be calculated into the system at the base of the main sprinkler riser.

(20) Fire hydrants should be located within 250 feet of each exterior entrance or other access to the records center that could be used by firefighters. All hydrants should be at least 50 feet away from the building walls and adjacent to a roadway usable by fire apparatus.

(21) Portable water-type fire extinguishers (2½-gallon stored pressure-type) shall be provided at each fire alarm striking station.

(22) Catwalks may be provided in the aisles between the metal stacks in high-activity records storage areas without provision of sprinklers under the walkway. Where provided, the walking surface of the catwalks shall be of expanded metal at least 0.09-inch thickness with a 2-inch mesh length. The surface opening ratio shall be equal to or greater than that outlined in Military Specification (MIL-M-17194C) of March 8, 1955. The sprinkler water demand for protection over bays with catwalks where records are not oriented perpendicular to the aisles shall be calculated hydraulically to give 0.3 gpm per square foot for the most remote 2,000 square feet.

(23) Storage of hazardous cellulose nitrate film requires special facilities not covered by the above standards. (See NFPA 40 and NFPA 232.)

§ 101-11.412-3 Requests for authority to establish or relocate records centers.

No agency records center shall be established or relocated from one city to another without the prior written approval of GSA.

(a) Exclusions.

(1) Staging areas containing less than 5,000 square feet of space used by agencies for the temporary storage of materials preparatory to their transfer to a records center or other disposition.

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provided no records are held in staging areas in excess of 5 years. The facility standards in § 101-11.412-2 apply to these staging areas.

(2) Areas of less than 5,000 square feet used solely for the storage of records to which occasional reference is made but on which no processing activity (screening and microfilming, etc.) is performed. The facility standards in § 101-11.412-2 apply to these records areas.

(b) *Content of requests.* Requests for authority to establish or relocate an agency records center shall be submitted in writing to the Administrator of General Services. These requests shall specify:

(1) Proposed location of the agency records center,

(2) Space to be occupied in gross square feet,

(3) Nature and quantity of records to be stored,

(4) Total personnel to be employed, and

(5) Justification for the proposed center which shall include a comparison between the annual cost per cubic foot to store the records in the agency records centers and the cost to store the same records in a GSA Federal records center. An analysis of GSA's Federal records center space and equipment cost may be obtained from the Office of Federal Records Centers (NC), General Services Administration, Washington, DC 20408. The justification also should indicate whether the records to be stored in the agency center have high security classification, require specialized processing or high-cost indexing, or are to be used by technical agency personnel stationed at the records center.

(c) *Approval of requests.* Requests for the establishment or relocation of an agency records center will be approved by the Administrator of General Services when greater economy or efficiency can be achieved through its operation than by the use of a Federal records center operated by CSA.

(d) *Annual agency records center report.* Each Federal agency operating one or more agency records centers shall submit to the General Services Administration (NC) a report on Standard Form 137, Agency Records Center Annual Report (see § 101-11.4905), for each center within 60 days after the close of each fiscal year.

(e) This annual report has been cleared in accordance with FPMR 101-11.11 and assigned Interagency Report Control Number 1097-GSA-AN.

(NEXT PAGE IS 1129)

Enclosure 2

CHAPTER 8. STORAGE OCCUPANCIES

1. National reference standards. Unless otherwise specified herein, all storage arrangements and protection shall conform to the applicable requirements of the following National Fire Protection Association Standards (NFPA) and other noted references:

a. Portable Fire Extinguishers (NFPA Standard No. 10)

b. Sprinkler Systems (NFPA Standard No. 13)

c. Flammable and Combustible Liquids Code (NFPA Standard No. 30)

d. Fire Alarm System - Tentative Guide Specification PBS(PCD): 16723T

e. Lightning Protection Code (NFPA Standard No. 78)

f. Indoor General Storage (NFPA Standard No. 231)

g. Outdoor General Storage (NFPA Standard No. 231A)

h. Storage of Cellular Rubber and Plastics (NFPA Standard No. 231B)

i. Rack Storage of Materials (NFPA Standard No. 231C)

j. Storage of Rubber Tires (NFPA Standard No. 231D)

k. Record Protection (NFPA Standard No. 232)

l. Archives and Records Centers (NFPA Standard No. 232AM)

m. Strategic and Critical Materials Storage Manual

2. Storage and protection.

a. Fire areas and height limitations are outlined in ch. 3. The maximum area in a fire division is 40,000 square feet for Group IV occupancies, which includes records storage, archives and general storage warehouses with storage higher than 12 feet. The maximum area in a fire division for general storage warehouses with storage height of 12 feet or less (Group III, Full Intensity, Medium Severity) is 80,000 square feet.

b. The storage arrangement, pile size, pile height and subdivision space between piles and between the storage and building structure shall be in accordance with the applicable NFPA Standard. However, storage less than 12 feet high shall be considered as general storage and shall be protected according to NFPA Standard No. 13.

c. Automatic sprinkler protection shall be provided for all storage locations and shall be designed in accordance with ch. 5.

d. Provision for hose streams from both interior hose connections and exterior hydrants shall be made in the total water supply demand. This demand shall be for a minimum duration of 2 hours in lieu of the requirement for duration noted in ch. 5.

e. Stockpile warehouses shall, in addition to all other requirements, conform with the requirements of the Strategic and Critical Materials Storage Manual.

Archives

f. The fire protection requirements below apply to Federal Archives and Records Centers; however, these requirements also shall apply where noted to other storage occupancies where the storage is 12 feet or higher. Criteria for Archives shall be the same as that for Records Centers, except that fire detection shall be incorporated into the archival storage area in accordance with NFPA Standard No. 72E.

Archival

(1) New Records Centers shall be of one story noncombustible construction. Records Centers shall have a maximum of 40,000 square feet per fire division, and be separated from other records storage areas by four-hour firewalls. All penetrations shall not reduce this fire resistance rating. Fire divisions in archival storage areas may be reduced in size to reflect a decision on the amount of storage that management has established as the maximum fire and smoke exposure to archival material. Additions to existing facilities shall be individually evaluated for firesafety requirements.

(2) All openings in firewalls, including duct penetrations, shall be protected by Class "A" (3 hour) labeled fire doors on each side of the firewall. Personnel swinging type fire doors shall be installed adjacent to sliding or rolling type fire doors in new construction; however, these personnel doors may be waived in existing facilities where two exits are provided with a maximum travel distance of 300 feet. (Applies to noted storage occupancies.)

(3) Roofs at new Archives and Records Centers shall be of noncombustible construction. Lightweight steel joist roof supports shall not be used in new construction. Fire tests have shown that the sprinkler protection specified herein is adequate to control records fires; however, this protection will allow brief but significant excursions of ceiling temperature into ranges which might collapse certain lightweight steel roofing supports. Therefore, at locations where lightweight steel roofing members are present; e.g., bar joists having top chords with angles 2 x 1½ inches or smaller and thicknesses ¼ inch or smaller and web diameters 13/16 inch or smaller, they shall be provided with a 10 minute fire resistive coating. The coating will be applied to the top chords only. (Applies to noted storage occupancies.)

(4) The roof structure shall not penetrate the firewalls, but shall be of such construction that failure of a roof from fire in one module will not impair the fire resistance of the wall. Firewalls shall be of the tied wall, double wall, or cantilever wall design. Firewalls preferrably shall be constructed without expansion joints. If expansion joints are essential, they shall be protected to their full height with No. 10 iron astragals lapping the opening on each side of the wall. Roof supports which improperly cross or penetrate existing firewalls shall be independently supported on each side of the firewall and cut on each side. (Applies to noted storage occupancies.)

(5) Automatic roof vents shall not be designed into either new or existing record center structures. However, the air-handling system shall be designed so that it can be manually converted to total outside air and used for emergency smoke removal.

(6) Building columns located within the record storage areas, shall be 2-hour fire-resistive, from floor to the point where they meet the roof framing system. (Applies to noted storage occupancies.)

(7) Automatic sprinkler protection shall be provided throughout all areas in buildings containing Archives and Records Centers. The systems in the records storage areas shall be hydraulically designed to deliver 0.30 gpm per square feet for the most remote 1500 square feet of floor area with a minimum flowing pressure of 7.0 psi at the most remote sprinkler head. Sprinkler heads in the records storage areas and vaults shall be rated at 286 F. A rating of 165 F shall be provided in all other areas. Details shall conform to ch. 5 for low or moderate severity for all sprinkler space outside the records storage areas.

(8) Catwalks may be provided in the service aisles between the rows of metal shelving housing records in open-shelf file arrangement without the provision for automatic sprinklers under the catwalks where the records are stored perpendicular to the aisle. Where provided, the walking surface of the catwalks shall be of expanded metal at least 0.09-inch thickness with a 2 inch mesh length. The surface opening ratio shall be equal or greater than that outlined in Military Specification (MIL-M-17194C). The sprinkler water demand for protection over bays with catwalks where records are not specifically oriented perpendicular to the aisles shall be hydraulically calculated to give 0.30 gpm per square foot for the most remote 2,000 square feet.

(9) In addition to the designed sprinkler flow demand, 500 gpm shall be provided for interior hose stream demand. The hose stream demand shall be calculated into the system at the base of the main sprinkler riser. Interior hose stations, connected to the sprinkler system and conforming to the requirements of NFPA Standard No. 13, shall be provided in such a manner that any point in the stack area can be reached by a 30 foot hose stream from a 100 foot hose lay. Hose meeting

the following specifications shall be provided only at facilities where specific fire brigade training is given in the handling and use of small hose. Single jacketed, polyester fiber, rubber lined, 1½-inch fire hose with a plastic combination spray-straight stream shut off nozzle shall be provided on a rack or reel. The hose and nozzle are available through the Federal Supply Schedule, Class 4210. (Applies to noted storage occupancies.)

(10) Fire hydrants shall be located so that each entrance or other access to the Records Center that could be used by firefighters, shall be within 250 feet of a fire hydrant. All hydrants shall be at least 50 feet away from the building wall and adjacent to a roadway usable by fire apparatus. Hydrants shall be located so that they are within 100 feet of any sprinkler system fire department siamese connection. (Applies to noted storage occupancies.)

(11) The water supply shall have a minimum duration of 2 hours. A dependable water supply is required. This frequently, but not always, will require a two source system. A single feed main from the public water system shall not be considered a dependable source. Two feeds from different points in the public system shall be considered satisfactory provided they are adequately valved and separated to assure reliability. An onsite reservoir with both electric motor and internal combustion engine drives for a single fire pump is another example of a single, but adequately dependable supply. Fire pumps, where provided, shall be automatic starting. Any two source system with sufficient pressure and capacity in each source is also satisfactory. Where a fire pump is required to meet flow and pressure requirements, dual power source shall be provided; i.e., electric motor and an internal combustion engine drive. (Applies to noted storage occupancies.)

Archival

(12) Fire detectors shall not be designed into the protection system to augment sprinkler protection in record storage areas. Fire detectors, however, may be designed to cover archival and special record areas, such as historical materials and those record research areas in locations such as presidential libraries, etc. (See ch. 6.)

(13) The building shall be provided with a manual noncoded, class A, supervised fire alarm system in accordance with Tentative Guide Specification PBS(PCD): 16723T. Fire alarm manual stations shall be located at each of the exits from the stack areas and each of the exits from the building. No other fire-alarm boxes shall be located in stack areas. The fire alarm system shall be provided with central station service or other automatic means of notifying the municipal fire department. The following shall also be provided:

(a) Each sprinkler system shall be provided with an alarm check valve, water motor gong, retard chamber, and pressure switch to transmit a waterflow alarm through the building fire alarm system; and

(b) All water control valves on the sprinkler system, or other principal valves on the fire protection system shall be provided with tamper switches and shall be connected into the building fire alarm system. Tamper supervision shall be separate from the manual fire alarm system, and shall be monitored on a continuous basis with immediate response to check tamper signals. Breakable shank locks may also be used on outside post indicator valves as an added deterrent to unauthorized valve operations. (Applies to noted storage occupancies.)

(14) No transformers, regardless of size, except thermally protected devices included in fluorescent light ballasts, shall be permitted within the stack areas. All electrical control boxes shall be located at the main entrance to the stack area. On-off switches for the light fixtures in the records storage shall be single pole type attached to the ends of shelving rows at the main aisle (installed not less than 6 feet above the floor surface).

(15) Water type fire extinguishers (2½ gallon stored-pressure type) shall be provided at each fire alarm manual station or at other well marked locations to comply with the coverage of NFPA Standard No. 10.

(16) Record storage areas maintained by the various agencies shall comply with all fire protection requirements of this chapter.

(17) Track files; i.e., mobile shelving units are not in current use by the National Archives and Records Service, but may be used in storing agency records. A track file is one of several filing systems where a single aisle is provided to gain access to an otherwise solid group of open-shelf files. Access to the desired shelf is gained by moving shelf units or carriages, usually mounted on rollers on floor tracks, until the proper unit is exposed. Track files have the potential of filling a very large area with an extremely high fuel load, most of which is out of the reach of sprinkler protection. In order for these mobile shelving units to be safely arranged and protected, the following items shall be incorporated:

(a) A shelving file system which covers an area of more than 250 square feet shall be constructed entirely of steel. Minimum of 18 gauge sheet metal shall be provided for all elements of the shelving unit;

(b) The system shall have a maximum height of 8 feet and all needed safety devices shall be provided to prevent accidental entrapment;

(c) The back cover of the stationary end files shall be solid sheet metal. Each internal unit may be vertically subdivided (fire barrier) by sheet metal so that a fire on one face of the unit cannot internally communicate with the opposite face of the unit. The intent of this provision is that each shelf of each unit shall have five metal sides with only the face being unenclosed, and when two open faces are pushed against one another each resulting double shelf unit is totally enclosed. This fire barrier option shall be considered for each installation. The value of the storage in the unit and the acceptable loss values management is willing to incur shall determine the extent of fire barrier installations in the unit; and

(d) Sprinkler coverage for these mobile shelving units shall be hydraulically designed for 0.3 gpm over 1500 square feet using 165 F rated heads.

(18) Regardless of the geographic location of the Federal Records Centers or Archives, lightning protection shall be installed in accordance with NFPA Standard No. 78.

(19) Aisle spacings and lengths shall be as follows:

(a) Service aisles which run between the stack arrangement or storage racks shall be at least 30 inches wide;

(b) A main aisle which runs perpendicular to the service aisles shall be provided in each storage area and be at least 4½ feet wide; and

(c) Side aisles which run perpendicular to the service aisles and are usually located at the interior or exterior building walls shall be at least 18 inches wide.

(20) Use of smoking materials, and the consumption of food and beverages shall not be permitted in any record or archive storage area including any partitioned office areas within the records storage area at Federal Archives and Records Centers.

Enclosure 4

SUMMARY: The purpose of this notice is to propose Environmental Protection Agency approval of a request from New York State to revise the attainment status designations of the northwest portion of Staten Island, New York from "does not meet primary standards" to "better than national standards" for carbon monoxide. Such designations are required by section 107(d) of the Clean Air Act and may be revised from time to time at the request of the state. This request for redesignation was received from New York State on August 7, 1981.

DATE: Comments must be received on or before October 8, 1981.

ADDRESSES: All comments should be addressed to: Richard T. Dewling, Ph.D., Acting Regional Administrator, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10278.

Copies of the State's request are available for public inspection during normal business hours at:

U.S. Environmental Protection Agency, Air Programs Branch, Room 1005, Region II Office, 26 Federal Plaza, New York, New York 10278
U.S. Environmental Protection Agency, Public Information Reference Unit, 401 M Street SW., Washington, D.C. 20460
New York State Department of Environmental Conservation, Division of Air, 50 Wolf Road, Albany, New York 12233.

FOR FURTHER INFORMATION CONTACT: William S. Baker, Chief, Air Programs Branch, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10278, (212) 264-2517.

SUPPLEMENTARY INFORMATION: Section 107(d) of the Clean Air Act directed each state to submit to the Administrator of the Environmental Protection Agency (EPA) a list of national ambient air quality standard attainment status designations for all areas within the state. EPA received such designations from the states and promulgated them on March 3, 1978 (43 FR 8962). As authorized by the Clean Air Act, these designations have been revised from time to time at a state's request. Today's notice deals with such a request from New York State. On August 7, 1981, the New York State Department of Environmental Conservation (NYSDEC) requested that the northwest portion of Staten Island, defined by the Tri-State Regional Planning Commission (the Metropolitan Planning Organization for the New York City metropolitan area) as Traffic Analysis Zone 16, be redesignated from "does not meet primary standards" to "better than national standards" for carbon monoxide.

The State bases its carbon monoxide redesignation request on the results of a carbon monoxide "hot-spot" air quality modeling analysis. This analysis was conducted at six potential "hot-spot" intersections and six roadway segments identified jointly by the technical staff of EPA Region II and the NYSDEC as having the greatest potential to have ambient violations. The analysis utilized EPA's HIWAY 2 carbon monoxide air quality model in conjunction with conservative worst-case traffic data, meteorological conditions and existing ambient background concentrations. It was performed in a manner consistent with EPA's "Guidelines for Air Quality Maintenance Planning and Analysis, Volume 9 (revised): Evaluating Indirect Sources" (EPA-450/4-78-001, September, 1978).

The analysis indicated that in all but one location the eight-hour national ambient air quality standard for carbon monoxide is being attained throughout the study area. In all cases the one-hour standard is currently being attained.

The one exception relates to the predicted nonattainment of the eight-hour standard in an area within approximately 10 meters of the highway right-of-way immediately adjacent to the toll booth area at the Goethals Bridge. This area, however, is not readily accessible to the public and, for this reason, EPA has determined that this limited area represents an "unreasonable" ambient receptor location as defined in the previously referenced EPA document on evaluating indirect sources. Moreover, NYSDEC has submitted an analysis which indicates that based on the tailpipe emissions reductions from the Federal Motor Vehicle Emission Control Program and the implementation of New York's automobile emissions inspection and maintenance program, the carbon monoxide standard in the toll booth area will be attained during 1982 and thereafter.

Therefore, based on EPA's review of the technical material submitted by the State, EPA proposes to approve the State's request for redesignation to attainment.

EPA's proposed decision regarding approval of this proposed redesignation was based on its meeting the requirements of sections 107 and 301 of the Clean Air Act and applicable EPA guidelines.

Interested persons are invited to comment on any element of the subject proposal and on whether it meets Clean Air Act requirements. Comments received by October 8, 1981 will be considered in EPA's final decision. All comments received will be available for inspection at the Region II Office of EPA at 26 Federal Plaza, Room 1005, New York, New York 10278.

Pursuant to the provisions of 5 U.S.C. 605(b) the Administrator has certified that attainment status redesignations under section 107(d) of the Clean Air Act will not have a significant economic impact on a substantial number of small entities (46 FR 8790; January 27, 1981). The proposed action constitutes such an attainment status redesignation under section 107(d) within the terms of the January 27 certification. This proposed action imposes no regulatory requirements but only changes area air quality designations. Any regulatory requirements which may become necessary as a result of this action will be dealt with in a separate action.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not Major because it imposes no requirements. Its purpose is to change the attainment status designations for certain areas from nonattainment to attainment.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

(Sections 107 and 301 of the Clean Air Act, as amended (42 U.S.C. 7407, 7601))

Dated: August 24, 1981.

Richard T. Dewling,

Acting Regional Administrator, Environmental Protection Agency.

[FR Doc. 81-26167 Filed 9-4-81; 8:45 am]

BILLING CODE 6560-26-M

GENERAL SERVICES ADMINISTRATION

National Archives and Records Service

41 CFR Part 101-11

Records Management; Updating Certain Firesafety Requirements

AGENCY: General Services Administration.

ACTION: Proposed rule.

SUMMARY: The General Services Administration (GSA) proposes to amend its regulations to update certain firesafety requirements; to change the report period for the Agency Record Center Annual Report (Interagency Report Number 1097-GSA-AN) from 60 to 30 calendar days following the close

of each fiscal year: and to clarify coverage of these regulations.

DATE: Comments must be received on or before November 9, 1981.

ADDRESS: Written comments should be sent to the General Services Administration (NC), Washington, DC 20408.

FOR FURTHER INFORMATION CONTACT: Mr. George N. Scaboo, Acting Assistant Archivist for Federal Records Centers (202-724-1614).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this rule is not a major rule for the purpose of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. The General Services Administration has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

Accordingly, GSA proposes to amend 41 CFR Part 101-11 as follows:

PART 101-11—RECORDS MANAGEMENT

Subpart 101-11.4—Disposition of Federal Records

1. Section 101-11.412 is revised to read as follows:

§ 101-11.412-1 Authority.

Federal agencies are authorized to maintain and operate records centers for the storage, servicing and disposal of their own noncurrent records when such centers are approved by the Administrator (44 U.S.C. 3103). Centers operated by Federal agencies are referred to in this Part 101-11 as "agency records centers."

2. Section 101-11.412-2 is amended by revising paragraphs (a)(1), (b)(1), (b)(7), (b)(14), (b)(18), and by adding a new paragraph (c) to read as follows:

§ 101-11.412-2 Facility standards for agency records centers.

* * * * *

(a) *General.*

(1) The facility should be a single-story building, at or above grade-level, constructed with noncombustible materials.

* * * * *

(b) *Fire safety.*

(1) All walls separating records storage areas from each other and from other portions of the building shall be 4-hour fire resistant. The records area shall not exceed 40,000 square feet each. Two-hour-rated firewalls shall be provided between the records storage areas and other auxiliary spaces. Penetrations in the walls shall not reduce the specified fire-resistance ratings.

* * * * *

(7) Where light steel roof or floor supporting members (e.g., bar joists having top chords with angles 2 by 1½ inches or smaller, ¼-inch thick or smaller, and $^{13}/_{16}$-inch or smaller web diameters) are present, they shall be protected either by applying a 10 minute fire resistive coating to the top chords of the joists, or by retrofitting the sprinkler system with large drop sprinkler heads. Retrofitting may require modifications to the piping system to ensure that adequate water capacity and pressure are provided in the areas to be protected with these large drop sprinkler heads.

* * * * *

(14) The sprinkler system shall be equipped with a water-flow alarm connected to a continuously staffed fire department or central station, with responsibility for immediate response.

* * * * *

(18) Interior firehose stations equipped with a 1½-inch diameter hose shall be provided in the records storage areas, enabling any point in the records storage area to be reached by a 50-foot hose stream from a 100-foot hose lay. The fire hoses shall not be provided, however, unless training in the handling and use of small hose, protective gear, and breathing equipment has been given, and these protective items are available for brigade members.

* * * * *

(c) *Archives.*

(1) Archival materials, whether on paper, plastic, or other media, generally require a much higher level of protection than temporary records, such as environmentally controlled and filtered storage space, and other safety measures not included in this section on agency records centers.

(2) Firesafety criteria for archives shall be the same as that for records centers, except that fire detection shall be incorporated into the archival storage area in accordance with NFPA Standard 72E, and fire divisions in the archival storage areas may be reduced in size to reflect a management decision on the maximum amount of archives subject to damage or loss from fire.

3. Section 101-11.412-3 is amended by revising paragraphs (a)(1), (a)(2), and (d) to read as follows:

§ 101-11.412-3 Requests for authority to establish or relocate records centers.

(a) *Exclusions.* For purposes of this section, the term "agency records center" excludes:

(1) Staging areas containing less than 5,000 square feet of storage space each used by agencies for the temporary storage of materials before their transfer to a records center or other disposition provided no records are held in these staging areas more than 5 years. The facility standards in § 101-11.412-2 apply to these staging areas.

(2) Holding areas of less than 5,000 square feet each used solely for the storage of noncurrent records that are not suitable for transfer to a records center or archives for economic, high security, technical servicing, or other reasons. The facility standards in § 101-11.412-2 apply to these records areas.

* * * * *

(d) Annual agency records center report. Each Federal agency operating one or more agency records centers shall submit to the General Services Administration (NC) a report on Standard Form 137, Agency Records Center Annual Report (see § 101-11.4905), for each center within 30 calendar days after the close of each fiscal year. This standard form will be revised to show the new reporting period as 30 calendar days after the close of each fiscal year. Agencies may use existing supplies of SF 137's pending availability of the revised form.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Dated: August 14, 1981.

Robert M. Warner,

Archivist of the United States.

[FR Doc. 81-[illegible] Filed 9-4-81; 8:45 am]

BILLING CODE [illegible]

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[Gen. Docket No. 81-499]

Equal Access to Justice Act Rules; Correction

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects the FCC number assigned to the Notice of Proposed Rule Making in Gen. Docket 81-499 concerning Equal Access to Justice Act Rules. Due to a typographical error, the FCC number was mentioned as being *81-336*. The correct number is *FCC 81-386*.

Enclosure 1

GENERAL SERVICES ADMINISTRATION
WASHINGTON, D. C. 20405

NAR P 1864.1A CHGE 9
April 20, 1981

GSA ORDER

SUBJECT: Records Center Operations

1. Purpose. This order transmits changed pages to the HB, Records Center Operations.

2. Explanation of changes. All references in chapter 3 are updated and parts of the chapter have been expanded, edited, or reorganized for greater clarity. In addition the following substantive changes are made:

a. Pars. 6 thru 8, 26, and 27 are deleted.

b. Par. 34, Accommodations for the physically handicapped, is added.

c. Pars. 37 and 39 are added to provide additional information on the structure and design of records centers.

3. Instructions. Remove entire chapter 3 and insert new chapter 3.

Robt M Warner

ROBERT M. WARNER
Archivist of the United States

Distribution: N1; NA; NC (00, D0, O0, P0, P1, P2, W0
GSA-DC-01108887 W1, W2); F; RN (10, C0, C1, CN, C2)

Attachment

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CHAPTER 3. STANDARD EQUIPMENT AND FACILITIES

PART 1. EQUIPMENT

SECTION 1. GENERAL

1. Purpose. This part provides instructions designed to standardize and manage, in an effective and efficient manner, the equipment acquisition, utilization, control, and maintenance program in records centers.

2. Reference. Detailed procedures and instructions are provided in the HB, Management of GSA Internal Personal Property (OAD P 7800.3), GSA Order, Management of ADP terminals and terminal data processing equipment (OAD 2100.4), and the HB, NARS Administrative Procedures (NAR P 5410.2) which is applicable to the Washington National Records Center (WNRC).

3. Additional specifications references. In addition to the specifications set forth in this handbook, the Office of Federal Records Centers (NC), maintains reference files on certain types of equipment which are available upon request.

4. Equipment maintenance. A preventive maintenance program for equipment shall be established to ensure the equipment is used properly, overhauled periodically, repaired as necessary, and replaced or surveyed when inoperable or obsolete. Users shall comply strictly with the maintenance and operating instructions to prevent damage through abuse, negligence, or misuse. It may be possible for arrangements to be made with PBS shop operations, where available, to supply the center with services, light power tools, and supplies necessary to maintain the equipment. Centers should make every effort to avoid having a large inventory of equipment that cannot be used because minor repairs are needed. This is especially applicable in the case of ladders and carts which should be kept in safe working condition at all times.

5. Equipment control.

a. General. The center director is accountable for all nonexpendable personal property. A simplified method for inventorying and controlling this equipment is authorized because of the low usage rates in most centers. Chapter 2 of this handbook outlines detailed procedures for the control of administrative and program equipment in each center.

b. Control of tools. Procedures for the use, loan, and return of tools shall be established and strictly enforced. A receipt shall be obtained from each employee who requests tools from the storeroom. Employees shall be held accountable for items withdrawn and procedures shall be established to assure that such items are returned.

6 thru 9. Reserved.

SECTION 2. SHELVING AND CONTAINERS

10. General. Instructions and specifications for the procurement, installation, and use of standard shelving and cartons for storing records are prescribed and issued by the NARS Office of Federal Records Centers (NC).

11. Shelving.

a. Requisitioning. Unless otherwise authorized, all requisitions for the purchase of shelving shall be made through NC, who finances the procurement from the capital outlay fund received through the appropriations process. Any available excess standard-size shelving shall be used on a priority basis to meet needs throughout the records center system.

b. Design. The standard design for shelving consists of units 13' 3" high, 42" wide, and 30" deep, with a 2-inch high base strip and with the shelves spaced on 12" centers. Special spacing for some shelves may be needed at each center to accommodate oversize records; however, no shelves will be spaced on less than 12" centers. Descriptions and stock numbers of some principal shelving parts, furnished by Federal Prison Industries, Inc. (FPI), are listed below:

Stock Number	Description
26-S-32870	Angle sway brace
26-S-32871-40	Cross-strap sway brace, 30" deep
26-S-32871-90	Cross-strap sway brace, 42" wide
26-S-32872-18	Base strip, 42" wide
26-S-32888-493	End panel, 30" wide, 111" high
26-S-32889-16	111" Upright
26-S-32889-18	123" Upright
26-S-32889-20	135" Upright
26-S-32889-22	147" Upright
26-S-32889-24	159" Upright
26-S-32891-17	Reinforcing angle, front and rear
26-S-32895-172	Shelves (plain), 42" wide x 30" deep

The number of parts per unit shall be as specified by NC.

c. Delivery. Shipments of shelving being delivered to a records center are not to be unloaded from the trucks by center personnel, except as otherwise specified in applicable carrier tariff rules available from regional offices of TPUS. In addition, to the risk of possible serious injury, the unloading costs are included and unloading, therefore, is the responsibility of the trucking company.

d. Installation. New shelving layouts shall be approved by NC before installation. Shelving units shall be installed in accordance with standards issued by NC. Separate standards or instructions are available for double-row and single-row arrangements.

(1) The standard unit holds 84 center cartons (six to a shelf).

(2) Service aisles 30 inches wide between rows are standard, with a main aisle not less than 5 feet or more than 6 feet, and wall aisles not less than 18 inches or more than 30 inches wide. Dead-end aisles are not permitted.

(3) Because of the need to eliminate single-row shelving to the maximum extent possible, all shelving added to or relocated in centers shall be installed in double-row arrangement 14 shelves high (13'3" long uprights), except where the floorload limit, layout, ceiling height, or sprinkler height will not permit.

(4) To accommodate the standard magnetic tape cartons, the shelves must be spaced on 14-inch centers. On standard 13'3" long uprights this spacing will create a 12-shelf unit. The seventh shelf will be positioned at the 7'3" height as on a standard 14-shelf unit (exact height for catwalks if and when they are installed).

e. Utilization. All shelving spaces, including the top shelf, shall be utilized for storage of records to the fullest extent possible. Top shelves may be reserved for oversize records.

f. Shelving catwalks. Specifications for adding catwalks in standard FPI shelving are available from NC. Where catwalks are added, front 7-high shelf space is increased by 100%. However, NC will approve the addition of catwalks only if a combination of space conditions and high reference activity warrants. For firesafety it must be kept in mind, however, that records above catwalks shall not be stored with the edge parallel to the shelf (see exception in ch. 3-47k).

12. Cartons.

a. Letter- and legal-size cartons. The standard container for letter- and legal-size records is a corrugated fiberboard box, 14 3/4" long by 12" wide by 9 1/2" deep, lapped joint fastened with staples (NSN 8115-00-117-8344). Hereafter, this box is referred to as a "center carton ." There also is a similar carton with slightly different dimensions (15" x 12" x 10") that can be used in the place of the standard box in emergencies (NSN 8115-00-290-3379).

b. Half-size cartons. The standard container for half-size or smaller records is a corrugated fiberboard box, 14 3/4" long by 9 1/2" wide by 4 7/8" deep (NSN 8115-00-117-8338).

c. Magnetic tape cartons. The standard container for magnetic tape is a corrugated fiberboard box, 14 3/4" long by 11 3/4" wide by 11 3/4" deep (NSN 8115-00-117-8347). This container is designed to achieve optimum use of space in shelving units specially constructed to accommodate magnetic tape.

d. Microfiche cartons. The standard container for nonarchival microfiche records is a corrugated fiberboard box 14 3/4" long by 6 1/2" wide by 4 1/2" deep (NSN 8115-01-025-3254).

e. Special-size cartons. Centers shall not accept for transfer records stored in nonstandard cartons without specific authorization from NC. This does not preclude acceptance of records in boxes of the size of standard FARC boxes but from a different manufacturer. The use of special-size boxes for tax returns, X-rays, Treasury checks, oversize material, and card files is authorized by NC upon the request of and in coordination with the transferring agency.

13. Carton stitcher. Centers shall use a motorized stitcher-type stapling machine to assemble center cartons. A portable electric or manually operated carton stitcher should be available for standby purposes.

14. Reserved.

SECTION 3. RECORDS HANDLING EQUIPMENT

15. General. Standard records handling equipment includes handtrucks, skids, dollies, lifts, pallets, platform trucks, ladders, ladder carts, and other related items which are used to hold and move boxes, crates, cabinets, and other bulky objects.

16. Handtrucks. Two-wheel handtrucks with rubber tires and toe plates are used to move center cartons and crates but usually are limited to short hauls. Lightweight aluminum or magnesium alloy models, not wider than 20 inches, are recommended.

17. Semi-live skids and jack lifts. Platform skids with two rigid wheels at one end and rigid legs at the other with pin attachment at the leg end are used to move oversize records, ledgers, other bound material, and center cartons. Platforms are available in 24" width and 42" or 48" lengths with a 7-inch under clearance. They can be moved by a two-wheel jack lift that is coupled to each unit and removed by simply pressing of the foot on a lever.

18. Dollies. Hardwood frames, approximately 24" by 18", resting on rubber tires with ball-bearing casters that turn full circle and swivel to travel in any direction, are used to move shipping boxes, file cabinets, and center cartons filled with records (up to 800-pound loads). The casters should have rubber-tired wheels, not less than 2 inches in diameter.

19. Forklifts. Electric forklifts shall be used for inside operations where floor capacity and other operating conditions permit. If electric forklifts are not available, a gasoline model may be used for outside operations provided it is equipped with spark arresters. The gasoline model should be replaced with an electric one as soon as practicable. NC has issued standards to be used when ordering an electric forklift.

20. Pallet-type hydraulic lifts. Hand-operated or battery-powered lifts with forks designed for horizontal movements only are used when moving materials on or off elevators where floorload or space restrictions prohibit the use of the forklift but make the use of pallets desirable.

21. Platform trucks. Similar to library trucks, approximately 15" by 61", platform trucks (also known as streamliners) are designed for maneuverability in narrow aisles and to hold 25 standard center cartons per truck. They are best equipped with 6-inch diameter rigid center casters and swivel casters at corners, all baco rubber, roller bearing (2,000-pound capacity). Drawings, specifications, and ordering instructions are available from NC.

22. Pallets. Wooden platforms designed to be raised and carried by forklifts or pallet-type hydraulic lifts are used to move records and for holding records that are ready for disposal. Various size pallets are standard operating equipment in most storage operations, but the 40" by 48" pallet is preferred for records center needs. 48" x 48" pallets also may be useful, especially in loading disposal, when two 48" x 48" pallets will not fit side-by-side on a truck. Four-way pallets are the most useful for center operations.

23. Ladders. Centers shall use standardized aluminum pulpit type ladders fitted with spring-loaded casters to prevent slipping. This ladder is maneuverable in aisles and small areas and can be used by employees to reach records stored on the upper shelves. Drawings and specifications for 5-, 6-, 7-, 8-, and 9-step models are available from NC. The 8-step model is appropriate for standard 13'3" high shelving installations. Older model wooden ladders also can be used as long as they remain in good repair.

24. Ladder carts. Several types of ladder carts are in use including a metal cart produced by Federal Prison Industries (FPI) which is 34 1/2" long, 12 3/4" wide, and 43 1/3" high (adjustable to approximately 49" in height). Similar in design is a hardwood reference service cart, approximately 30" long by 36" high by 13" wide, resting on 2-swivel and 2-rigid casters with hard rubber wheels 5" in diameter. These carts are equipped with a 2-step pull down attachment to aid in reaching records in the back boxes at the 7th shelf level. Replacements for some of the parts for the metal carts which have proven to be subject to excessive wear and require frequent replacement are available from FPI.

25 thru 30. Reserved.

PART 2. FACILITIES

SECTION 1. GENERAL

31. Program. This part provides structural and appurtenance standards for records center facilities.

32. Applicability.

a. These standards shall be applied to the extent possible by NARS Assistant Regional Administrators, or equal, and center directors in cooperation with regional PBS officials in developing new center facilities, or in repairing, improving, altering, or extending existing structures. Center space projects, based on NARS forecasts of long-term space needs requiring prospectus approval ($500,000 or more), shall be submitted to the appropriate regional PBS officials at least four fiscal years in advance of the space need.

b. Recent experience indicates that even this lead time may be insufficient so discussions with regional PBS officials should govern the formal submission.A GSA Form 144, Net Space Requirements for Future Federal Building Construction, is used for all requests requiring construction, such as a new building or an addition to an existing building. Procedures concerning the use of this form are outlined in FPMR 101-17.4902-144. After the GSA Form 144 is approved and preliminary design work begins, the drawings and specifications shall be submitted through NC for review to N for approval at each design stage. At least two weeks are required for review of each design stage. It is vitally important that this clearance process be followed in every instance.

c. A SF 81, Request for Space, is used to request additional space in an existing building. Procedures on preparing SF 81 are outlined in the HB, Assignment and Utilization of Space, ch. 2-3 thru 7 (PBS P 7000.2A).

d. Copies of the space form used, whether GSA Form 144 or SF 81, should be sent to NC and NAB. Requests for space at the Washington National Records Center should be signed by NA.

33. Financing facilities and appurtenances.

a. New construction, extensions or conversions, and alterations. New buildings, extensions or conversion of other excess Government facilities, and alteration projects at existing center facilities are financed as follows:

(1) Funds are appropriated to GSA based on prospectuses developed by PBS in accordance with the Public Buildings Act of 1959, as amended by the Public Buildings Amendment of 1972 (P.L. 86-249). Specific procedures are outlined in the HB, Repair and Improvement Program Management, ch. 5 (PBS P 6800.1A). The prospectus includes the description, location, estimated maximum cost, and a

comprehensive plan for providing space for all employees to be housed in the proposed project. Included in the cost estimates are:

(a) All items normally considered part of center facilities, including equipment; and

(b) Specialized equipment or systems attached to the building, such as air conditioning, self-leveling docks, special lighting, laboratory equipment, sprinkler systems, intercom systems, and humidity control equipment.

Close coordination between NARS and PBS is essential during the development of a prospectus.

(2) Funds are appropriated to NARS to provide movable equipment or rolling stock, such as conveyor trucks, forklift trucks, battery chargers, and other equipment that is readily removable and reusable and that is unique to the needs of NARS such as perimeter security systems. Acquisition and erection of shelving also are funded by NARS. For other types of center equipment funded by NARS, refer to the HB, Management of GSA Internal Personal Property (OAD P 7800.3).

b. Repairs, alterations and replacements. Repairs, alterations, and replacements at Government-owned facilities are financed as follows:

(1) Funds are appropriated to PBS under its repair and alteration appropriation. Funds are appropriated for both prospectus projects and non-prospectus projects. Work appropriated for prospectus projects is in accordance with prospectuses developed for submission under P.L. 86-249. The prospectus includes costs covering all items normally considered part of real property including boilers, heating systems, and plumbing systems.

(2) Funds are appropriated to NARS for the following:

(a) All specialized equipment and systems unique to NARS requirements, such as shelving, intercom systems, special lighting, laboratory equipment, special air conditioning for temperature and humidity control, and self-leveling docks, whether or not installed initially at PBS expense.

(b) All movable equipment installed at NARS expense.

34. Accommodations for the physically handicapped. Records centers shall be designed to ensure that physically handicapped persons will have ready access to and use of the public areas and facilities in each center.

35. Reserved.

SECTION 2. STRUCTURAL STANDARDS

36. General. For nearly 40 years the growth of records centers for storing, processing, and disposing of temporary records not active enough to be kept in high-cost office space and equipment has been an integral part of the successful management of records. Records centers will be housed in permanent Government-owned facilities meeting NARS and PBS standards as required by GSA's Policy Manual (ADM P 1000.2B). The archival aspect, maintaining certain permanent records at the regional records centers, has developed only in recent years. Archives may require a higher level of fire protection, such as the installation of fire detectors and smaller stacks (fire areas), than temporary records and are not covered by these standards (see HB, Building Firesafety Criteria (PBS P 5920.9)).

37. Separate structure. Center buildings should be separate from other buildings and away from external hazards in order to ensure a high degree of safety from fire, flood, and other dangers. Normally centers shall be sole occupants of their buildings, but if space is shared with other agencies, adequate precautions shall be taken to eliminate fire hazards by building separation firewalls and providing other protective measures.

38. Building site. The site should be of sufficient size for a single story building with at least one million cubic feet of records storage capacity, including space for paved parking and tractor-trailer maneuvering. It should be near a main arterial highway. ~~To avoid the cost of new construction, existing storage-type buildings~~ should be considered if their locations and basic physical characteristics conform to the standards prescribed for center facilities.

39. Building design. A carefully designed building is essential for a safe and economical center operation. One story, ground-level buildings shall be provided for new center. Whenever possible, all records storage areas should be at or above grade-level.

a. Multi-story construction of records storage areas should be avoided because there presently is no existing method of construction which will maintain its structural integrity in an uncontrolled fire in the records storage area below.

b. Below grade construction should be avoided because the fire byproducts (smoke, heat, and toxic gases) can prevent access by firefighting forces. (For a historical discussion of the causes of unsatisfactory sprinkler performance see the Fire Protection Handbook issued by the National Fire Protection Association (NFPA), Boston, MA.)

c. A single floor design eliminates the delays in the movement of employees, equipment, and records caused by the need to use elevators and stairwells as required in multi-floor designs.

40. Construction.

a. General. Center structures should be simple in style and functional in arrangement. Permanent "Type A" fire-resistive construction is essential. Concrete block with brick facade is a good example of this type of construction. Reinforced concrete construction, including tilt-up wall type, is more appropriate in areas where there is a high probability of an earthquake in the area. "Type A" construction is described in the HB, Building Firesafety Criteria, fig. 2-3 (PBS P 5920.9).

b. Floorloads and roofloads. A minimum live floorload of 300 pounds per square foot is required for all records storage areas with standard 14-shelf high shelving (13'3" long uprights). The minimum for office areas is 100 pounds per square foot. Load requirements for roofs depend on the geographic location. These and other items of interest are discussed in the HB, Structural Engineering, ch. 3 (PBS P 3475.1B).

c. Ceiling height. Whenever possible, the ceiling height throughout all records storage areas, including the vaults, should provide for the erection of standard 14-shelf high shelving completely clear of ducts and pipes as follows:

(1) The top of the boxes of records stored on the 14th shelf should be 14'1" above the floor.

(2) The low point of the stack light fixtures should be 15'1" above the floor.

(3) The low point of the sprinkler deflector heads should be 15'7" or higher above the floor.

d. Loading docks. Loading docks shall be similar to those in any first-class warehouse, with sufficient space to accommodate simultaneous loading and unloading operations for at least two 60' long trailer-type trucks. They should be enclosed completely to avoid problems caused by bad weather. The dock platform should be four feet above the dock wells and equipped with power-operated adjustable dock ramps. The dock wells shall be level throughout. Adjustable dock lights placed so that they can illuminate truck interiors are to be installed in all docks. Loading docks should be separated from records areas by 4-hour firewalls with proper fire-door protection and by 2-hour firewalls from any other portions of the building. Wheel chocks shall be chained to the platforms.

e. Security vaults. Each center shall have at least one vault, with a capacity of at least 2,500 cubic feet, constructed to meet the requirements for storage of national security information at the top secret level. Center vaults shall be approved in writing by the GSA Security Officer, in accordance with the HB, Document Security (ADM P 1025.2A), before they are used for the storage of top secret materials. Design characteristics of standard center vaults shall include:

(1) Construction. At least eight-inch thick reinforced concrete shall be used to construct the floor, walls, and ceiling, with all walls extending to the underside of the ceiling slab.

(2) Scuppers. Since vaults are sprinklered, an appropriate number of 3-inch (inside diameter) pipe floor drains, S-shaped, or equal, shall be provided through the base of the vault walls and equipped with copper insect screens or equal on the outside. The inside diameter of the pipe shall be parallel to and not extend more than 3 inches above the floor surface. The floor surface must be level throughout and should not slope to the scuppers.

(3) Controlled environment. If a vault is being used for the storage of permanent microfilm records, the temperature and humidity in the vault must be controlled according to the standards outlined in FPMR 101-11.5. These standards call for a relative humidity ranging from 20-40% with an optimum of 30% and a fluctuation not to exceed ±5% within a 24-hour period. Temperature readings should not exceed 70°F and there should be no more than a ±5% change within a 24-hour period. These FPMR standards coincide with the American National Standards Institute, Inc. (ANSI) standards for the same type of storage. For dual storage of temporary paper and film, the temperature readings should be in the standard range of 66°-74°F and the humidity range should be 35%-45% but never lower than 35%.

(a) Duct opening. To the extent feasible, all heating and ventilating ducts, and related mechanical equipment shall be installed outside the vault. The size of the duct openings in the vault walls shall be kept to an absolute minimum.

(b) Security barriers. Where ducts penetrate the vault walls, the duct shall be carried through a pipe cluster security barrier. The barriers shall consist of steel pipes not larger than 3 inches in diameter (inside measurement) nor shorter than 2 feet in length. The number of barriers should be sufficient to carry the required air flow. The pipes shall be assembled in clusters, rectangular in cross section, and welded together. Rods of No. 3 reinforcing bars shall be welded to the four sides of the cluster at 6 inches on center. The reinforcing bars shall be long enough to extend at least 6 inches into the concrete wall at its center. The pipe cluster should be placed in the wall so that it projects an equal distance on each side of the wall.

(4) Vault door. A Class 5 vault door, described in Federal Specification AA-D-600B of March 1969, as amended, and a day gate with a secured inside latch are required. An optical viewer in the door is optional. The door shall be equipped with a changeable combination, manipulation resistant lock with a rating of not less than 20 hours. The door shall be equipped with an escape device with instructions permanently installed on the inside face of the door. Where required, a permanent emergency-powered light source shall be provided inside the vault to illuminate the escape instructions and mechanism.

(5) Security alarms. Anti-intrusion alarms (ultrasonic motion detectors, heat sensors, or other automatic electronic alarm systems) to protect

the vault during non-operating hours normally are not required, provided the vault is otherwise determined by the GSA Security Officer, considering overall protective measures, to qualify for the storage of top secret materials.

(6) Vault as a fire area. Security vaults shall be of 4-hour fire resistive construction. However, since vaults are sprinklered, vestibule and inner fire doors, as well as duct fire dampers, are not required unless the vault and the fire area it occupies exceed 40,000 square feet in area.

41. Entrance vestibule. The main public entrance vestibule of a records center should be equipped with standard built-in exhibit cases for displaying facsimiles of the Declaration of Independence, the Constitution, the Bill of Rights, and other appropriate exhibits.

42. Expansion space. Building expansion space shall be provided. Sites selected for new records centers should provide sufficient land for a single floor facility with at least one million cubic feet of records storage capacity.

43. Building identification. An appropriate building identification sign (or lawn sign) shall be provided to read as follows:

FEDERAL ARCHIVES
AND
RECORDS CENTER
GENERAL SERVICES ADMINISTRATION
OR
FEDERAL RECORDS CENTER
GENERAL SERVICES ADMINISTRATION

44. Reserved.

SECTION 3. APPURTENANCE STANDARDS

45. Electrical facilities.

a. General. Electrical facilities provided in center buildings shall conform to the requirements prescribed below and in the HB, Criteria for a Federal Office Building, ch 4-8 (PBS P 3425.8A).

b. Requirements. Requirements and demands on the electrical facilities include:

(1) Primary electrical power supply and transformers.
(2) Fire alarm system.
(3) Anti-intrusion security alarm system.
(4) Lighting circuits and fixtures.
(5) Air conditioning (office areas).
(6) Temperature and humidity control equipment for vault, magnetic tape, and other special media storage areas.
(7) Reproduction equipment (including micrographics).
(8) Battery charger for forklifts.
(9) Overhead doors to loading docks.
(10) Elevators and escalators.
(11) Heaters and air-handling equipment for stack areas.
(12) Adjustable dock ramp levelers.
(13) Electrical outlets on alternate columns in all records storage areas.
(14) Telephones.
(15) Secondary (emergency) power for lighting, fire, and security systems.

c. Illumination. Centers require the following minimum standards for illumination at a 3' height above floor level:

(1) 30-foot candles for direct fluorescent lighting in service aisles in records storage areas.

(2) 50-foot candles for semidirect fluorescent lighting in the office areas.

d. Light fixtures. The light fixtures in stack areas shall be as follows:

(1) Fluorescent, 8-foot, continuous-strip, single-tube, and not more than 9" wide including the maximum width of the reflector; metal construction and equipped with thermally protected ballasts (Class "P"); and the lowest point on any fixture at least 12" higher than the top of the highest stored boxes of records.

(2) In elevated walkway (catwalk) stack areas, 8-foot fluorescent, continuous-strip, single-tube, 215-watt, to provide adequate illumination at the lower level.

e. Control boxes and light switches. All electric control boxes shall be located at the main entrances to stack areas. Switches for the light fixtures in the records storage areas shall be single pole type attached to the end of each row (not less than 6 feet above the floor surface at the main aisle). This will provide on/off switching for each 30" service aisle for optimum energy conservation. Conduit shall be used to provide safety protection for the electric wire; armored cable may be used where flexible connections to stack light fixtures are required.

f. Transformers. No oil-type transformers, regardless of size, shall be permitted in stack areas except thermally protected devices included in Class "P" fluorescent light ballasts.

46. Air conditioning and heating systems. Temperature, humidity, and ventilation shall be regulated as follows:

a. During working hours, offices and related areas shall be maintained no higher than 65°F during the winter heating season and no lower than 78° during the summer cooling season.

b. Areas in the center being used for the long-term storage of special materials, including plastic-based records, shall be environmentally controlled on a continuous basis. The temperature range shall be 66-74°F and humidity range shall be 35-45%. This standard is satisfactory for the dual storage of temporary paper and film. If an area is being used for the storage of permanent microfilm records, the temperature and humidity must be controlled according to the standards outlined in FPMR 101-11.5. These regulations provide for a relative humidity ranging from 20-40% with an optimum of 30% and a fluctuation not to exceed ±5% within a 24-hour period. Temperature readings should not exceed 70°F and there should be no more than a ±5% change within a 24-hour period. These FPMR standards coincide with the ANSI standards for the same type of storage.

47. Firesafety.

a. Exits. Exits from center facilities shall comply with the requirements outlined in the HB, Building Firesafety Criteria (PBS P 5920.9).

b. Furnaces and boilers. Any furnaces or boilers shall be separated from the records storage areas by 4-hour firewalls, with no openings directly from the furnace or boiler room to the records storage areas. No open flame (oil or gas) equipment shall be used in any records storage area. Electric heat shall be used with domestic hot-water systems installed within the records center facility.

c. Fire walls. New records centers shall be of one story (ground level) noncombustible construction. All records centers shall be separated by fire walls into storage areas with a maximum of 40,000 square feet each. All walls separating records storage areas from each other and from other portions of the building shall be four-hour fire rated. Penetrations of these walls shall not reduce this fire resistance rating.

d. Firedoors. All openings in firewalls, including duct penetrations, shall be protected by Class "A" (3-hour) labeled fire doors on each side of the firewall. Personnel swinging-type fire doors shall be installed adjacent to sliding or rolling-type fire doors in new construction; however, these personnel doors may be waived in existing facilities where two exits are provided with a maximum travel distance of 300 feet.

e. Roof construction. Roofs of new records centers shall be of noncombustible construction. Lightweight steel joist roof supports shall not be used in new construction. Fire tests have shown that the sprinkler protection specified herein is adequate to control records fires; however, this protection will allow brief but significant increases of ceiling temperature into ranges which might collapse certain lightweight steel roof supports. Therefore, at locations where lightweight steel roofing supports are present; i.e., bar joists having top chords with angles 2 x 1¼ inches or smaller and thicknesses ¼ inch or smaller and web diameters 13/16 inch or smaller, such bar joists shall be protected either by applying a 10-minute fire resistive coating to the top chord of the joists or by installing "large drop" sprinklers in the sprinkler system in order to provide at least 18 inches of clear space above the stored material. This may require modifications to the piping to ensure adequate water capacity and pressure. The "large drop" sprinkler should be rated 286°F.

f. Roof support. The roof structure shall not penetrate the firewalls, but shall be of such construction that failure of a roof from fire in one records storage area will not impair the fire resistance of the walls. Firewalls shall be of the tied wall, double wall, or cantilever wall design. Firewalls preferably shall be constructed without expansion joints. If expansion joints are essential, they shall be protected to their full height with No. 10 iron astragals lapping the opening on each side of the wall. Roof supports which improperly cross or penetrate existing firewalls shall be supported independently on each side of the firewall and cut on each side.

g. Venting. Automatic roof vents shall not be designed into either new or existing records centers. However, the air-handling system shall be designed so that it can be converted manually to total outside air and used for emergency smoke removal.

h. Columns. Building columns located within the records storage areas shall be 2-hour, fire-resistive, from floor to the point where they meet the roof framing system.

i. Sprinklers. Automatic sprinkler protection, wet-pipe type, shall be provided throughout all areas in buildings housing records centers. The systems in the records storage areas shall be designed hydraulically to deliver 0.30 gpm per square foot for the most remote 1500 square feet of floor area with a minimum flowing pressure of 7.0 psi at the most remote sprinkler head. Sprinkler heads in the records storage areas and vaults shall be rated at 286°F. A rating of 165°F shall be provided in all other areas. "Large drop" sprinkler heads, rated at 286°F, may be used in all new records center construction. Such sprinklers also should be installed in existing centers where PBS determines that they are necessary.

j. Sprinkler spacing and clearance. Spacing of sprinkler heads normally shall be 10 feet on centers and positioning of the heads above the floor shall provide complete unobstructed coverage with at least 18 inches of clearance between the top of the stored materials and the sprinkler heads at the deflection level.

k. Catwalks. Catwalks without automatic sprinklers installed underneath may be provided in the service aisles (between the rows of metal shelving housing records in open-shelf file arrangement), if all records above the catwalks are stored perpendicular to the aisle. Where provided, the walking surface of the catwalks shall be of expanded metal at least 0.09-inch thickness with a 2-inch mesh length. The surface opening ratio shall be equal or greater than that outlined in Military Specification (MIL-M-17194C). The sprinkler water demand for protection over bays with catwalks where records above the catwalks are not perpendicular to the aisles shall be calculated hydraulically to give 0.30 gpm per square foot for the most remote 2,000 square feet.

l. Hose stations. In addition to the specified sprinkler flow demand, 500 gpm shall be provided for interior hose stream demand. The hose stream demand shall be calculated into the system at the base of the main sprinkler riser. Interior hose stations, connected to the sprinkler system and conforming to the requirements of NFPA Standard No. 13, shall be provided in such a manner that any point in the stack area can be reached by a 30-foot hose stream from a 100-foot hose lay. Fire hoses will not be provided unless fire brigade training in the handling and use of small hose, protective gear, and breathing equipment has been given and such protective items are available for brigade members.

m. Fire hydrants. Fire hydrants shall be located within 250 feet of each entrance or other access to the records center that could be used by firefighters. All hydrants shall be at least 50 feet away from building walls and adjacent to a roadway usable by fire apparatus. Hydrants shall be located within 100 feet of any sprinkler system fire department siamese connection.

n. Water supply. The water supply shall have minimum duration of 2 hours. A dependable water supply is required. This frequently, but not always, will require a two-source system. A single feed main from the public water system shall not be considered a dependable source. Two feeds from different points in the public system shall be considered satisfactory provided they are adequately valved and separated to assure reliability. An onsite reservoir with two fire pumps, one electric and one with an internal combustion engine, is another example of a single, but dependable supply. Such pumps shall have automatic starting. Any two-source system with sufficient pressure and capacity in each source also is satisfactory. Where necessary to meet flow and pressure requirements, two fire pumps shall be provided; i.e., one with an electric motor and one with an internal combustion engine.

o. Smoke detectors. Smoke detectors shall not be designed into the protection system to augment sprinkler protection in records centers.

p. Fire alarm stations. The building shall be provided with a manual noncoded, Class A, supervised fire alarm system. Fire alarm manual stations shall be located at each of the exits from the stack areas and at each of the exits from the building. No other fire alarm boxes shall be located in stack areas. The fire alarm system shall be provided with central station service or other automatic means of notifying the municipal fire department. The following shall also be provided:

(1) Each sprinkler system shall be equipped with an alarm check valve, water motor gong, retard chamber, and pressure switch to transmit a waterflow alarm through the building fire alarm system; and

(2) All water control valves on the sprinkler system, or other principal valves on the fire protection system, shall be provided with tamper switches and shall be connected into the building fire alarm system. Tamper supervision shall be separated from the manual fire alarm system, and shall be monitored on a continuous basis with immediate response to check tamper signals. Breakable shank locks also may be used on outside post indicator valves as an added deterrent to unauthorized valve operation.

q. Fire extinguishers. 2½ gallon stored-pressure type fire extinguishers shall be provided at each fire alarm manual station or at other well marked locations. Each fire extinguisher provides protection for approximately 3,000 square feet of floor space. The key criteria is that the travel distance to the nearest fire extinguisher is not to exceed 50 feet.

r. Lightning protection. Regardless of the geographic location of the records center, lightning protection shall be installed in accordance with NFPA Standard No. 78.

s. Other firesafety requirements. Related firesafety requirements are outlined in the HB, Building Firesafety Criteria (PBS P 5920.9).

48. Roof access. Access to the roof, by way of a hatch, should be provided by installing a fixed metal ladder inside the building.

49 thru 50. Reserved.

Enclosure 5

CHAPTER 3. PRESERVATION, DOCUMENT RESTORATION, AND SECURITY

PART 1. PRESERVATION

1. Objectives. Records accessioned as part of the National Archives must be kept under conditions that will ensure their preservation, their security, and the protection of their intrinsic, evidential, or other values.

2. Fumigating.

a. National Archives Building. All paper records accessioned into the National Archives Building shall be fumigated and, if necessary, cleaned before they are placed in the stack areas. The Administrative Services Division (NAS) is responsible for fumigating and cleaning the records.

b. Washington National Records Center. NAS will fumigate accessioned records stored at the Washington National Records Center (WNRC) upon request. Unit heads shall request that all records be fumigated which, because of the environmental conditions of the location in which they were previously maintained have a high potential for being infested.

c. Regional Archives Branches. Regional archives branches are responsible for identifying accessioned records which, because of the environmental conditions of the location in which they were previously maintained, have a high potential for being infested. In these cases the Branch Chief should contact the Director, Preservation Services Division (NTP) who will assist in having the records fumigated by a contractor or by the Administrative Services Division.

3. Environmental controls. Ideal storage conditions require that a constant temperature of 70° and relative humidity of 50% be maintained in stack areas. NTP is responsible for keeping a continual check on the temperature, relative humidity, and purity and cleanliness of the air in the stack areas of the National Archives Building. Any continued deviation from acceptable standards in that building should be reported to NAS. The General Archives Division and regional archives branches should report malfunctioning of environmental controls to the center director.

4. Storing. Heads of custodial units are responsible for the safe storage of records in the stack areas under their control, in accordance with the following regulations:

a. Keep records at least 6 inches from ceilings, suspended beams, lights, and 24 inches from heaters or radiators.

b. Do not exceed the maximum permissible floor load for each stack area.

c. Do not store records in contact with any part of the electrical or fire alarm systems or in such locations as will involve risk of damage to these systems when the materials are removed; nor so that they will obstruct any exit, access panel, air conditioning duct, sprinkler head, fire alarm box, watchman's station, fire extinguisher, fire hose cabinet, or posted sign.

d. Do not store nitro-cellulose film, volatile inflammable solvents, oils, paints, and waxes in any area used for the storage of records. Nitro-cellulose film is not ordinarily stored in the National Archives Building except in small quantities that are in active use for reference, processing, or other current work, and such small quantities must be stored in specially vented containers and rooms under the charge of the Audiovisual Archives Division.

e. Do not allow loose debris and waste paper to accumulate in any storage area.

f. Report immediately to NAS or the center director any evidence of insects, rodents, or other paper-destroying pests in any area in which records are stored.

g. Do not smoke, eat, or drink in any area in which records are stored or used. This prohibition does not apply to offices except those located in stack areas used in part as research rooms or for the storage of records.

5. Audiovisual materials. Audiovisual materials require special preservation measures. All photographic material should be protected from light to prevent fading. When photographic prints are not accompanied by negatives, negative copies are made. All negatives are kept in envelopes specifically designed for this purpose. Glass negatives, nitrate negatives, and nitrate film are converted to acetate copies. Preservation and reference copies of all sound recordings are made on tape. Films and tape recordings are inspected at regular intervals and necessary steps are taken to prevent deterioration.

6. Computer tapes. The Machine-readable Archives Division is responsible for the safe storage and preservation of accessioned computer tapes. Improperly stored computer tapes will result in data which is unreadable or readable only with an excessive error rate. Ideal storage conditions include a constant temperature of 70° and relative humidity of 50% and protection from all high intensity electrical and magnetic fields. Tapes must be stored in specially designed non-magnetic containers and must be inspected and rewound at regular intervals. Preservation and reference copies of all accessioned computer tapes are made.

7 thru 10. Reserved.

GENERAL SERVICES ADMINISTRATION
CONSOLIDATED RANKING SHEET
FY 1982 BUDGET REQUEST

RANK	DECISION PACKAGE	PACKAGE NUMBER
1	REAL PROPERTY OPERATIONS	1015-1
2	PROGRAM DIRECTION, FBF	1016-1
3	SUPPLY	2011-1
4	CONTRACTS	2012-1
5	PROGRAMS & REQUIREMENTS	2013-1
6	CONTRACT MANAGEMENT	2014-1
7	EXECUTIVE DIRECTION	7011-1
8	PLANS/PROGRAMS/FINANCIAL MGMT.	7012-1
9	HUMAN RESOURCES/ORGANIZATION	7013-1
10	PUBLIC SERVICES	7014-1
11	OPERATING EXPENSES, ADTS	5010-1
12	CAPITAL OUTLAY	5021-1
13	OE,TPUS - DIRECT	3010-1
14	INSPECTOR GENERAL - DIRECT	7030-1
15	STOCKPILE MANAGEMENT	6011-1
16	STOCKPILE TRANSACTIONS	6012-1
17	REAL PROPERTY	6013-1
18	PERSONAL PROPERTY	6014-1
19	STOCKPILE TRANSACTION FUND	6030-1
20	RECORDS MANAGEMENT & CENTERS	4011-1
21	ARCHIVES AND RELATED	4012-1
22	N.H.P.R.C.	4013-1
23	RECORDS DECLASSIFICATION/ISOO	4014-1
24	CIC - DIRECT	7061-1
25	SUPPLY	2011-2
26	CONTRACTS	2012-2
27	PROGRAMS & REQUIREMENTS	2013-2
28	CONTRACT MANAGEMENT	2014-2
29	OPERATING EXPENSES, ADTS	5010-2A
30	OPERATING EXPENSES, ADTS	5010-2B
31	INSPECTOR GENERAL - DIRECT	7030-2
32	CONSTR. & ACQ. OF FACILITIES	1011-3
33	REPAIRS AND ALTERATIONS	1012-3
34	RENTAL OF SPACE	1014-3
35	REAL PROPERTY OPERATIONS	1015-3
36	PROGRAM DIRECTION, FBF	1016-3
37	CONSTRUCTION SERVICES FUND	1030-3
38	SUPPLY	2011-3
39	CONTRACTS	2012-3
40	PROGRAMS & REQUIREMENTS	2013-3
41	CONTRACT MANAGEMENT	2014-3
42	OE,FSS - REIMBURSABLE	2020-3
43	GSF - SUPPLY OPERATIONS	2030-3
44	EXECUTIVE DIRECTION	7011-3
45	PLANS/PROGRAMS/FINANCIAL MGMT.	7012-3
46	HUMAN RESOURCES/ORGANIZATION	7013-3
47	PUBLIC SERVICES	7014-3
48	SAL. & EXP., GSA - REIMB.	7020-3
49	FORMER PRESIDENTS	7050-3
50	OPERATING EXPENSES, ADTS	5010-3
51	FED. TELECOMMUNICATIONS FUND	5020-3
52	CAPITAL OUTLAY	5021-3
53	AUTOMATIC DATA PROCESSING FUND	5030-3
54	OE,TPUS - DIRECT	3010-3
55	OE,TPUS - REIMBURSABLE	3020-3
56	GSF - MOTOR POOLS	3030-3
57	INSPECTOR GENERAL - DIRECT	7030-3
58	INSPECTOR GENERAL - REIMB.	7040-3
59	STOCKPILE MANAGEMENT	6011-3
60	STOCKPILE TRANSACTIONS	6012-3
61	REAL PROPERTY	6013-3
62	PERSONAL PROPERTY	6014-3
63	OE,FPRS - REIMBURSABLE	6020-3
64	STOCKPILE TRANSACTION FUND	6030-3
65	EXPENSES, DISPOSAL	6040-3
66	WM. LANGER JEWEL BEARING PLANT	6050-3
67	GSF - PROPERTY MANAGEMENT	6070-3
68	WORKING CAPITAL FUND	7200-3
69	RECORDS MANAGEMENT & CENTERS	4011-3
70	ARCHIVES AND RELATED	4012-3
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83	FBF - REIMBURSABLE PROGRAM	1020-4
84	CONSTRUCTION SERVICES FUND	1030-4
85	CWF, REAL PROPERTY	1040-4
86	PLANS/PROGRAMS/FINANCIAL MGMT.	7012-4
87	GSF - SUPPLY OPERATIONS	2030-4A
88	GSF - SUPPLY OPERATIONS	2030-4B
89	GSF - SUPPLY OPERATIONS	2030-4C
90	PROGRAMS & REQUIREMENTS	2013-4A
91	PROGRAMS & REQUIREMENTS	2013-4B
92	CONTRACTS	2012-4
93	CONTRACT MANAGEMENT	2014-4
94	CONSTR. & ACQ. OF FACILITIES	1011-4A
95	OE,TPUS - DIRECT	3010-4A
96	EXECUTIVE DIRECTION	7011-4B
97	PERSONAL PROPERTY	6014-4
98	RECORDS MANAGEMENT & CENTERS	4011-4
99	HUMAN RESOURCES/ORGANIZATION	7013-4
100	EXECUTIVE DIRECTION	7011-4A
101	EXECUTIVE DIRECTION	7011-4C
102	INSPECTOR GENERAL - DIRECT	7030-4
103	OE,TPUS - DIRECT	3010-4B
104	OPERATING EXPENSES, ADTS	5010-4
105	FED. TELECOMMUNICATIONS FUND	5020-4
106	CAPITAL OUTLAY	5021-4
107	AUTOMATIC DATA PROCESSING FUND	5030-4
108	CIC - DIRECT	7061-4
109	CIC - REIMBURSABLE	7062-4
110	ARCHIVES AND RELATED	4012-4
111	GSF - MOTOR POOLS	3030-4A
112	GSF - MOTOR POOLS	3030-4B
113	GSF - MOTOR POOLS	3030-4C
114	PUBLIC SERVICES	7014-4B
115	PUBLIC SERVICES	7014-4A
116	PUBLIC SERVICES	7014-4C
117	STOCKPILE TRANSACTIONS	6012-4
118	STOCKPILE MANAGEMENT	6011-4
119	STOCKPILE TRANSACTION FUND	6030-4
120	STOCKPILE MANAGEMENT	6011-4B
121	OE,FSS - REIMBURSABLE	2020-4
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DR. WARNER'S RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR MATHIAS

1. Does this bill, S. 1421, accomplish the objectives which you outlined in your statement?

Although the bill presents one alternative for accomplishing those objectives, I refer to my testimony on the question of separate organizational placement for NARS.

2. What do you view as the missions of the National Archives and Records Service?

NARS' mission is basically two-fold: One is to effectively and efficiently manage the records created by the Government of the United States, and, the responsibility to select from this vast body of materials those of continuing value to ensure that these are acquired, that they are preserved, arranged, and described, and that they are made available for research use by both Government agencies and the scholarly and general public.

3. What, in your opinion, is the greatest threat(s) to our nation's Federal records and archives?

There are many threats to the National Archives. Some are related to the nature of archival materials, their storage conditions, and some to the administrative factors in handling these materials. Certainly the National Archives, as every archives in the United States and the world, is faced with a continuing threat posed by the deterioration of historically valuable records caused by the passage of time, the environment in which the records were created, and the kinds of materials on which they are recorded. I think that this preservation problem will be accentuated as we move away from traditional paper "records." Technological innovations which result in non-traditional records, stored on a variety of non-permanent media compound these and related archival problems. Also, the enormous proliferation of records of all varieties greatly complicates the task of ensuring the appropriate disposition of these records and that those with continuing value are designated for eventual transfer to the Archives. In short, archivists must work on developing new methods and approaches to prepare us for dealing with today's records and tomorrow's archives.

4. Do you concur with GSA's proposed means of meeting NARS' space needs in the next ten and twenty years? Are there any other needs of NARS which GSA needs to focus on?

Records Center Space
Based on the past performance of GSA in providing space for the use of the records center system, I would have to say that, if the budget situation permits, and if there are no significant delays in meeting the projections outlined in NARS long-range records center space program (copy attached), then GSA would be doing a satisfactory job insofar as providing space is concerned. The funding situation, however, may disrupt these space plans. Most of the delays in meeting the dates for needed expansion space results from PBS's funding problems and the lengthy Congressional approval process over which they have little control.

Archives Space
Right now there is no long-range space plan for archival space. A previous long-range plan calling for a large underground archival annex as part of the development of Pennsylvania Avenue, was rejected by a previous Administrator of GSA, because of funding and related problems. NARS has not yet developed an alternative plan, but will be working to do so.

5. Estimate the percentage of your personal time and that of your chief administrators that is devoted to GSA-required meetings, paperwork, and the like.

Of course, any mangement activities that are responsive to GSA are really requirements that are filtered down to us from other agencies of the Government and would have to be responded to irrespective of our organizational location in GSA. Many of the OMB initiated reports and budgetary materials fall into this category and there are many other examples. As for meetings and reports in general, I feel that too much time is spent within NARS itself, within GSA, and within the Government at large, on meetings, on reports, on reporting, and similar activities, but having said that, I, similiar to most other executives, am not at all sure what the answer is.

6. Are you constrained by the present organizational arrangement of NARS and its relationship to GSA to better meet comtemporary archival and records management needs? Why?

I will refer to my statement of record in response to this question.

7. Should the National Archives be in the museum business? Describe.

The National Archives is in the museum business partly because of the modern growth of the Presidential libraries, but partly also because our underlying law mentions the exhibiting of records and other documentary material as one of the primary functions of an archival institution. If you visit the exhibits side of the National Archives building, which 1 million people do every year, you enter a large vaulted exhibition hall where the Constitution, the Declaration of Independence, and other documents reflecting the formation of our union are on permanent exhibit. In the surrounding exhibit areas we feature changing exhibits that document the history of our national life. I suppose no one would disagree that the exhibit of archives for popular education is an essential function of the institution. The development of the museum portion of the Presidential libraries has received more public attention and is more controversial.

Museum objects are, however, historical records which convey information, and when they are organized to tell a story or illustrate an event they are effective in enhancing the documentary record for scholars as well as imparting to the general public an understanding of our national past.

Without debating whether there should be Presidential libraries, if these institutions are to exist then exhibiting some of the historical materials is an indespensible function of the institution. The life and times of Presidents are the stuff of our national history, there is usually ample documentation, photographic material, memorabilia, and valuable foreign gifts, and are materials that the public demand when they come to visit these institutions.

8. Should the Presidential Libraries be under the control of the Archivist or GSA?

To the extent that NARS remains organizationally in GSA, there is no division of responsibility for Presidential Libraries between the Archivist and the Administrator of GSA; rather, there is a delegation of authority from the Administrator to the Archivist to carry out the statutory responsibilities for all programs of NARS including the Presidential libraries. Since the libraries carry out functions similar to those in the National Archives (the archival functions for Presidential libraries are incorporated by reference from the basic legislation affecting the National Archives), the libraries should remain associated with the National Archives, whether under authorities delegated from the Administrator to the Archivist, or in a separate organization.

9. Should the Federal regional records centers be under the control of the Archivist or GSA?

Again, to the extent that NARS remains organizationally in GSA, there is no division of responsibility for the Federal Records Centers system between the Archivist and the Administrator of GSA; rather, there is a delegation of authority from the Administrator to the Archivist to carry out the statutory responsibilities for all programs of NARS including the records centers. The records center system is not an isolated appendage to the National Archives and Records Service which could be severed and placed under another part of GSA. Instead, the records center system is an integral part of the accepted life-cycle concept of records and as such, should remain in the National Archives and Records Service to ensure the continuity and integrity of that life-cycle. Into the records center system are accessioned agency records, some portion of which will eventually be appraised for accessioning into the National Archives. The appraisal function itself, requiring the most critical judgment of professional archivists in determining which records have lasting value, is located organizationally in the Office of Federal Records Centers. In addition, each regional records center has a regional archives branch in which are administered and made available for research use, portions of the National Archives that have particular applicability to the respective region. Thus, the functional and archival links between the records center system and the National Archives require that the records center system should remain associated with the National Archives, whether under authorities delegated from the Administrator to the Archivist, or in a separate organization.

10. What role does NARS have in writing position descriptions for NARS placement? In selecting persons to fill those positions? How many of your currently authorized positions are unfilled by professional, clerical, and other main function category? What percentage of your total employment force do those vacancies represent? How long has any position remained vacant? Why? Do you anticipate additional vacancies in fiscal 1982? How many will be due to attrition? To reductions in force mandated by FY 1982 budget cuts?

(a) Position descriptions. All position descriptions for NARS placements are drafted by NARS managers. GSA's Personnel Office reviews the position descriptions for technical issues, and classifies the positions.

(b) Personnel selection. GSA Central personnel reviews applicants' general qualifications, and forwards the qualified applications to NARS. Non-policy/managerial positions (GS-13 and below) are selected by NARS. All NARS selections above GS-13 must be approved by the Administrator of GSA. As a result of various hiring freezes, very few permanent positions have been filled in the past year.

(c) Unfilled positions. The change from controlling employment ceilings by specific positions (where one position equalled one employee) to controlling employment ceilings by Full-Time-Equivalency (FTE) limits makes it difficult to answer the question concerning "currently authorized positions (that) are unfilled," as one FTE could represent one full-time position occupied all year, two part-time positions, etc. Comparing the October 1, 1980, authorized FTE to the October 1, 1981, personnel on board, there are currently 56 professional "vacancies" (6.3 percent of total professional FTE) and 287 other "vacancies" (13.7 percent of total non-professional FTE), representing 11.5 percent of the October 1, 1980, authorized personnel strength.

(d) Several critical positions in NARS remain vacant, but the filling of these positions is being reanalyzed in view of pending reductions in funding and planned reorganization.

(e) Anticipated additional vacancies in FY 1982. The current uncertainty concerning the FY 82 budget makes it impossible to accurately predict staffing at the end of the fiscal year. We will, of course, attempt to meet the budget cuts through attrition, but it appears inevitable that some reduction in force will be mandated by the FY 82 budget cuts.

11. How would you describe the morale of NARS employees these days?

Morale is not good, of course, because of uncertainties about funding and possible reductions in force. This situation is probably common to most agencies right now. On the other hand, I have been surprised and greatly encouraged by how well the staff has adapted to these new challenges and how well they have operated to continue to meet our public service role.

12. How much contact by phone or in face-to-face meetings have you or your top administrators had with the OMB budget examiner for NARS?

We have had at least three meetings within the last several months.

13. In your view does the Archivist need additional enforcement authority vis-a-vis other federal agencies in order to ensure proper federal records management through the life cycle of records; to assure proper accessioning; appraisal; and long-term records storage and management?

I believe that the Archivist of the United States requires additional authority in at least two important areas. First in determing what is and what is not a federal record and second, in gaining access to certain types of records to insure adequacy of documentation.

As discussed by Mr. Kline in answer to question No. 3, the Archivist's authority to determine what is a federal record has become ambiguous at best. I believe it is essential that this authority be clarified and, accordingly, will be progressing through appropriate channels reenactment of former Section 44 U.S.C. 2910 which was omitted during the revision of several records management sections of the Title in 1976. The Section reads as follows:

> 2910. Final authority of Administrator in records practices. The Administrator of General Services shall have final authority in matters involving the conduct of surveys of Government records, and records creation, maintenance, management, and disposal practices in Federal agencies under sections 2904-2909 and 3101-3107 of this title, and the implementation of recommendations based on surveys.

14. Dr. Warner, is your legal counsel a NARS or a GSA employee? What problems, if any, does this present?

Our counsel is a GSA employee. For the most part this has been a satisfactory arrangement. Increasingly, the National Archives is confronted with major, complex, legal questions, some with Constitutional implications making it imperative that the institution be represented by the highest caliber of legal services available. Ultimately, the Archivist should select NARS' legal counsel.

15. Do you believe the Archivist of the United States should be appointed by the President? For a fixed term? How long?

I will refer to my prepared testimony in response to this and other questions relating directing to the specific provisions incorporated in S. 1421.

16. What role does NARS have in ensuring the ultimate security (i.e., from flood, fire, theft, vandalism) of archival materials? of federal records?

NARS shares responsibility with components of the Public Buildings Service, which is responsible for fire and safety requirements and regulations, building improvements, and upkeep and supervision of and contracting for guarding services.

Are improvements needed in the main Archives building in this regard? Describe and estimate costs.

Security problems at the Archives building include antiquated fire protection systems (alarms, sprinklers, smoke detectors, etc.) and intrusion alarm systems. General interior appearance needs upgrading. We are working with the Public Buildings Service to develop plans for the required modifications. Some of the modifications will be completed this fiscal year.

17. I understand that in September there was a flooding of archival materials at the main Archives building of a suspicious origin. Would you describe that incident with particular reference to the security personnel involved and NARS relationship to them. What was damaged by the flood? How long and how much will it cost to restore those materials? Has blame been fixed for this incident? Who is investigating?

On Wednesday, September 30, 1981, at approximately 6:10 a.m. the Administrative Services Division received word that the west side of the Archives building was flooded. Investigation disclosed the flooding extended from stack level 10 to stack level 21. Both record storage areas and elevator lobbies were involved to varying degrees. The cause of the flooding was a hot water faucet which had been turned on full force in the men's room on stack 21 west. The door to the men's room was locked at the time of discovery. Inasmuch as the sink drain was not plugged up and therefore accommodated much of the water, it is assumed that the faucet was turned on some time on September 29, 1981.

The National Archives has a contract with Allied Security Incorporated for security patrols in the main Archives building. The contract calls for a roving patrol throughout the building on both the 4 p.m. to 12 midnight shift and the 12 midnight to 8 a.m. shift. The flooding, however, was not reported by the security patrol, but by an employee of our Administrative Services Division who reported at 6 a.m.

As a result of water damage, approximately 136 cubic feet of paper documents and 175 cubic feet of photographs and negatives had to be dried, reboxed, and labeled by NARS employees. Additionally, nearly 8,000 photographs and 4,000 negatives were processed by the NARS laboratories. Only 100 photographs suffered permanent damage, i.e., water stains; and two negatives were destroyed.

As yet, responsibility for the incident has not been attributed to any person, but the Federal Protective Service is conducting an investigation of an apparent act of criminal vandalism. The FPS was also requested to take whatever action is necessary to hold Allied Security financially responsible for all cleanup costs incurred as a result of the incident. Estimated costs for the entire cleanup operation and restoration project exceed $30,000.

18. How significant a problem is the so-called "red rot" of book bindings at the Archives? Is deacidification the answer? What process(es) is the Archives employing to protect deteriorating materials? Is the process keeping pace with the rate and volume of deterioration?

Red rot is not a major problem since it does not affect the records within the bindings. If unlimited funds were available, rebinding would be nice but, more important preservation priorities preclude NARS from routinely removing red rot and rebinding or boxing records, except in the case of small series of national "treasures," such as the Papers of the Continental Congress.

Deacidification with suitable buffering salt solutions during the early life of the leather can prevent the onset of red rot. Once such a condition sets in, however, it cannot be reversed but it can be arrested by treatment.

The red rot on some 450 of the 520 volumes of the Papers of the Continental Congress is too advanced for reversal so NARS plans to rebind the volumes which will be accomplished in FY 1982 and FY 1983. The bindings were more than 30 years old when they were accessioned by the Archives and were, of course, not the original bindings, but bindings done sometime during the 19th century.

Volumes of Public Laws where the leather has decayed to the point of brittleness, but not to an advanced red rot condition, have been treated with a potassium lactate solution followed by regular applications or leather dressing. All volumes of Public Laws that had broken or separated spines have been restored.

19. There appears to be a large volume of federal records over which NARS has no control. This includes approximately 1.3 million cubic feet of "frozen" records being held in such actions as the IBM antitrust suit. This seems to be a recent development. How can it be corrected?

The current volume frozen for the IBM anti-trust suit alone is approximately 423,000 cubic feet. It is correct that the situation involving "frozen" records has magnified greatly in the past several years. During the 1960's significant blocks of Internal Revenue Service tax returns were frozen because of pending legal actions. There is little action NARS or GSA can take to limit the impact of these freezes. Many are court ordered freezes which do not define the scope of the freeze to limit its overall impact. It would appear that the freeze situation stemming from the numerous anti-trust and class action suits will continue to have a negative impact on the records center system.

20. Dr. Warner, what made you take this job?

The question invites a facetious response but let me give you my true thoughts. The Archives of the United States is one of the most important institutions in our government and is perhaps the finest archives in the world. At the time of my appointment, this great institution had not had permanent leadership for many months. It was having difficult times and I felt that perhaps I could render a public service by accepting the position, bringing to it a new perspective, and giving it a much needed degree of stability.

21. Would you comment on Fedreal agency "satellite" collections. I understand that some Federal agencies, including the armed services, maintain their own "operational archives" for records that fall under the transfer provisions of the Federal Records Act.

The term "satellite archives" generally refers to the relatively few repositories which have made formal agreements with NARS. There are other repositories housing permanent records without the formal approval of NARS. Within this category, some Federal agencies maintain a significant volume of older Federal records of continuing value, but no current administrative use, without the approval of NARS.

Both civilian and military agencies have been identified as maintaining their own agency archives. Military establishments have generally been characterized by a strong sense of tradition and historical consciousness, and the various branches of the American Armed Forces have supported the research and writing of military histories at all levels. They have also collected, maintained, and serviced Federal records of continuing historical value, and have thus duplicated the functions of NARS.

The Army's historical activities are directed by the Center for Military History (CMH) located in Washington. One of the CMH's primary tasks is preparing a series of scholarly historical works on the Army. CMH retains Federal records appraised as permanent which are used for this series, as well as for other official histories and studies. These records are scheduled for eventual transfer to NARS, along with the background files accumulated by CMH historians.

CMH also directs the U.S. Army Military History Research Institute (MHRI) at Carlisle Barracks, Pennsylvania. MHRI mainly collects published and donated historical materials including books, printed pamphlets, and manuscript collections. It also contains a small amount of Federal records.

Similar to the Army, the Navy has developed an internal archival establishment and similar to the Center for Military History, the Naval Historical Center does historical research, writing, and editing. It also maintains an extensive reference library and oversees the Navy Memorial Museum.

Many of the arguments in favor of agency archives are similar to those in favor of formally established satellite archives--better funding, relationship to other collections, availability of subject-matter specialists, etc. There are numerous disadvantages, the most important of which is the possible future alienation of these records and the obstacles to efficient scholarly research caused by the splintering of related collections of records. Ultimately, the operation of satellite archives may add significantly to the cost of keeping historical records by the Government.

22. What are your views on the organizational placement and funding of the National Historical Publications and Records Commission?

NHPRC should remain in NARS and the grant program should have a separate line item budget to carry out its publications and records care functions.

23. When the NARS appropriation request is before the Congress, do you or one of your Administrators testify on behalf of that request or does GSA represent you?

Traditionally, the Archivist of the United States testifies in defense of the approved budget, but there have been occasions when the Administrator has testified in behalf of the NARS' budget.

24. Do you foresee new technology innovations which may make space needs for federal records and archives less of a problem? What are those types of new technology? How do user groups respond to them?

Archives

Archivists have long dreamed of technological innovations that would enable us to significantly reduce the bulk and simultaneously improve the accessibility of the rapidly expanding volume of Federal records. Until recently, microfilm was the most promising technology of this type available to archivists. It is still the only practical means of miniaturizing our holdings at the present time.

The most widely heralded information technology of the near future is the optical disc, which may eventually enable us to store massive amounts of compacted data. NARS is closely monitoring the current experiments with optical discs at the Public Archives of Canada. Hopefully, the Canadian prototype, which is expected to be available by 1985, will demonstrate the feasibility of optical disk storage of archival records. Optical disc imaging on a television screen should be acceptable to users, but, since no institution has had experience with such systems, user response is unknown. It should be noted that after many years of instinctive resistance, researcher complaints about microfilm are now rare.

The formidable limitation of optical discs, similar to microfilm and other reduction/compaction technologies, is that the time and costs of converting original records to the new format are enormous.

The potential space savings of new technology are fairly distant prospects. If an increasing percentage of the Federal record is created in a miniaturized form, as it probably will be, our future storage requirements may be significantly reduced. It is extremely unlikley, however, that technological innovations will have an appreciable effect on NARS' space needs in this century.

Records Centers

Although there undoubtedly are technology innovations which may affect records center space needs in the future, these advantages certainly are not likely to affect the continued growth of Federal records in the next 5 or 10 years. Computer tapes, microforms, and other non-paper records have thus far had little impact on records center holdings. While agencies could be creating greater volumes of current records in non-paper formats and retaining them on-site rather than retiring them to records centers, at this time we have no figures on that and have not noted the impact. It must be remembered that many of the records stored in records centers are voluminous temporary records with a relatively short retention period. Over 52 percent of the records stored in Federal records centers are retained for 8 years or less. Such records generally would not be created in or converted to a non-paper mode because it would not be cost effective.

Even in the case of records with longer retention periods, we do not always realize the full benefits of newer technologies. For example, most of the military services are converting and/or creating military personnel records in a microform mode. However, since part of the records are being created in microform and part on paper, it is necessary in our records centers to maintain a "mixed-mode" record consisting of part paper and part microform. In addition, although microform records may require less space, the type of space required is more expensive; servicing records also is more costly.

25. Dr. Warner, can you now perform your statutory duties to accession records which are over 30 years old?

Yes, but to some extent my authority is limited and there are some practical problems also.

Section 2103(2) of 44 U.S.C. authorizes the Administrator of GSA, when it appears to be in the public interest, to "direct and effect the transfer to the National Archives of the United States of records of a Federal agency that have been in existence for more than 30 years and determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the United States Government, unless the head of the agency which has custody of them certifies in writing to the Administrator that they must be retained in his custody for use in the conduct of the regular current business of the agency. "Thus, the statute provides that agency heads retain complete discretion in determining what agency records are still needed for "the conduct of regular current business."

Moreover, NARS no longer has authority to review agency determinations of what constitutes record material. This second restriction was established during a dispute over the disposition of the so-called "Kissinger transcripts." Those transcripts were verbatim notes, made by a secretary, of Dr. Kissinger's telephone conversations while he was Secretary of State. Dr. Kissinger and the State Department agreed on a procedure to review these notes in order to determine which were "record" and which were "non-record" materials.

GSA objected to the proposed arrangement and the dispute was referred to the Office of Legal Counsel of the Department of Justice. The subsequent opinion in its pertinent part states: "In our view, nothing in the governing statutes requires an agency to follow GSA's decisions as to whether documents are "records," or even to allow GSA to participate in the identification process."

This determination has serious implications for the authority of NARS and its ability to accession records of continuing value. My authority is also limited by budgetary realities. The State Department has proposed the transfer of its records for the period 19 to 19 to the National Archives, but we have delayed the accession because we do not have the resources to declassify large portions of the records that remain classified, nor can we accept the burden of handling a large volume of FOIA workload that would accompany the records if transferred. We are hopeful that the State Department will approve a plan by which we would undertake the declassification work on a reimbursable basis with tht department.

26. What percentage of NARS budget is devoted to archival activities? To records management? To SLUC charges? Describe the components of each of these activities. Have these percentages changed significantly in the past ten years? How?

In 1981 it is estimated that 16 percent of the budget will be devoted to archival activities, 31 percent will be devoted to records management activities, and 25 percent will be devoted to SLUC charges.

Since 1970 archival activities have varied as a percent of the budget. Records management and records centers activities have dropped as a percent of the budget. These percentages are shown below:

	Percent of NARS Budget Devoted to:				
	Archival Activities				
FY	Nat'l Archives	Presidential Libraries	Records Mgmt.	Records Centers	SLUC
1970	18	8	1	55	-
1971	21	9	1	51	-
1972	24	9	1	46	-
1973	22	9	1	47	-
1974	21	7	1	50	-
1975	18	6	5	35	21
1976	18	6	4	31	26
19TQ	20	7	3	32	24
1977	18	6	5	28	26
1978	16	7	4	27	26
1979	16	7	4	30	25
1980	18	7	4	31	24
1981(est.)	16	7	4	27	25

The archival program of the National Archives and Records Service involves a number of activities: appraisal, accessioning, arrangement, description, preservation, and reference service. Agency records are appraised jointly by the Office of Federal Records Centers and the Office of the National Archvies to determine whether they have sufficient historical or legal value to warrant their continued preservation as part of the National Archives of the United States when the agency's administrative need for the records has ended. Accessioning the permanently valuable records involves both physical and legal transfer of the records. Arrangement activities may involve a variety of actions from transferring the records to archives boxes to putting files or individual documents in the order that the creating agency originally maintained them. Description activities, which are essential to maintain intellectual control over the records, include preparation of general guides, more detailed preliminary inventories and special lists, and microfilm publications of important or heavily used records. Another major area of the archival program involves preservation of deteriorating or damaged records. Reference service, the last major archival activity, involves making records available to researchers in research rooms, providing researchers information from the records by letter, telephone, or in person; and furnishing reproductions of the records. The same type of archival activities are carried out in Presidential Libraries for the donated historical materials of former Presidents and their associates.

The records management program also involves a number of activities. The Office of Records and Information Management (NR) develops and issues regulations, standards, guidelines, handbooks, and a newsletter to assist agencies to carry out efficient and effective programs for the management and use of forms, correspondence, reports, directives, mail, copying, micrographics, word processing, and office automation. NR also inspects agencies' records and information management programs in these areas and provides, on a reimbursable basis, technical assistance on their records and information management problems. The Office also administers Government-wide programs for controlling Standard and Optional forms and interagency reports.

The Office of Federal Records Centers (NC) is responsible for a nationwide system of records centers which store records and provide reference service on inactive agency records until they are eligible for disposal or accessioning into the National Archives. NC accepts, on a reimbursable basis, selected active Social Security Administration and IRS records. The centers also provide reimbursable microfilming services to agencies. NC assists agencies in improving their filing and classification systems through handbooks, guidelines, and reimbursable technical assistance. NC performs files inspections, usually in conjunction with NR's agency inspections. The Office has responsibility for evaluation of agency records retention and disposition schedules and programs, coordinates with the Office of the National Archives in appraising records whose continuing value makes them eligible for accessioning into the National Archives, and provides administrative support to the regional archives branches located within the records centers. works with the Office of the National Archives to appraise records.

27. Describe the kinds of legal questions and challenges with which NARS has been faced in the past ten years. Has there been an increase of court challenges that involve NARS? How has NARS met these obligations? Describe the type of legal assistance which you receive from GSA and cite specific instances with their outcome.

Most of the legal challenges faced by NARS with respect to accessioned Federal records within the last ten years orginated with the denial or partial denial of a Freedom of Information Act request. After administrative appeals have been exhausted, the requester may appeal the decision in the Federal court systems. The questions of the law arising out of these appeals vary but all are characterized by the investment of large amounts of staff time usually by senior archivists.

Records of the Watergate Special Prosecutor Force with 146 FOIA requests and the Warren Commission records which have produced over 150 FOIA requests have produced many of the legal questions. A lesser number of legal challenges have resulted from the 50 cubic feet of FBI material relating to the electronic surveillence of Martin Luther King which was accessioned into the National Archives in 1977-1978 under court order and court seal of non-access for 50 years.

The following are illustrative of the cases involving NARS:

Fund for Constitutional Government vs. NARS is a carryover case from the Watergate Special Prosecutor Force. When the records were accessioned, NARS was designated defendant. The plaintiffs originally filed an FOIA request for all records of the six major Watergate investigations, e.g., Huges, Rebozo; milk fund; townhouse; and campaign contributions. It is estimated that this request covered 40 percent of the Watergate records or 550 cubic feet. NARS reviewed the closing memorandum in each of these six investigations and, upon the order of the court, prepared Vaughn statements (detailed explanations of each deletion). This alone took 1 1/2 years. The appeals court ruled in favor of NARS this past summer but the plaintiffs have reopened the case by claiming that their original request for all records has not been satisfied. It is estimated that 300 staff years will be required to review all records as originally requested.

Ricchio vs. NARS involved the request for transcripts of Watergate related tapes, many of which were not made public or used by the Special Prosecutor. Access was denied by NARS on the basis of their being derived from Presidential materials. Access should then be governed the Nixon Presidential Materials Act rather than the Freedom of Information Act. This case is still pending.

Common Cause vs. NARS was another case inherited from the WSPF. Plaintiffs sought the names of the recipients of illegal campaign contributions from the 19 corporations that plead guilty to making illegal contributions. A court ruling against NARS resulted in the expenditure of hundreds of hours of staff time searching corporate records for names of recipients and amounts received.

In addition to several FOIA appeals on the Warren Commission records all of which have now been resolved, archivists were required to give testimony before the several Congressional committees investigating the Kennedy assassination.

One of the most time consuming and precedent setting legal questions that continues to face NARS concerns the status of the Presidential materials of Richard Nixon. The Nixon materials have been the subject of major lawsuits since they were taken into GSA custody under the Presidential Recordings and Materials Preservation Act of 1974.

1. Nixon vs. Sampson. Mr. Nixon brough suit against GSA/NARS to compel implementation of the Nixon-Sampson agreement which had been abrogated by the Presidential Materials Act. The Administrator of General Services in the Nixon agreement gave control over the Nixon Presidential materials to the former President and required the destruction of the White House tapes after a period of time. Mr. Nixon claimed the act that negated the agreement violated the former President's right. The Supreme Court rule the act constitutional on June 28, 1977.

2. Nixon vs. Solomon. A suit brought by Mr. Nixon in December 1977 claiming that the regulations implementing the Presidential Materials Act were unconstitutional. On February 14, 1979, a negotiated agreement was reached by the parties settling all issues but two: (1) public access to tapes and (2) processing of Presidential dictabelts. As part of the agreement, revised regulations were sent to Congress June 18, 1979. On July 24, 1979, the GSA position on the tapes and dictabelts was upheld in U.S. District Court. Mr. Nixon appealed the decision to the U.S. Court of Appeals in Washington.

3. Richard Nixon and H.R. Haldeman suits for compensation:

Nixon v. U.S. filed on December 17, 1980.

Haldeman v. Freeman et al. filed on December 19, 1980.

Plaintiffs in both of these suits claim that the Presidential Materials Act seized materials that were their property and that they should be compensated for their losses. Neither case has been to oral arguments.

In addition to these major lawsuits, NARS staff has performed approximately 35 searches of the Nixon papers, requiring hundreds of hours of staff time, which resulted from court orders or other litigation in which NARS was not a party to the suit.

American Friends Service Committee vs. Webster et al. Late in 1979, a group of organizations and individuals sued the FBI and the National Archives to stop destruction of FBI field office records. The plaintiffs contended that the field office case files were neither completely, nor substantively, duplicated in the corresponding case files at headquarters. In January 1981, U.S. District Court Judge Harold Greene ruled that the plaintiffs did have standing in court and that they had demonstrated "suffered injury in fact" through the destruction of field office records. Testimony indicated that raw investigative data--surveillance logs, informant statements, depositions, and special agent memoranda and notes were maintained only in the field offces and that only summaries of the information were forwarded to headquarters. Judge Greene imposed an injunction on further destruction of FBI records and ordered the National Archives to examine the FBI records to develop a records retention plan. The National Archives began its appraisal of the 25 million FBI case files in March 1981 and will submit a retention plan to the court on November 9, 1981. Legal questions involving access for National Archives appraisers to FBI informant names, IRS tax information, grand jury testimony, and Title III electronic surveillance tapes and notes have not yet been entirely resolved.

Although NARS was not a party to the court suit brought in the civil action to recover the notes and transcripts of Henry Kissinger's telephone conversations made while he served as Secretary of State (Sept. 1973 to January 1977), NARS was closely involved and concerned with the legal issues raised by the case.

> Kissinger v. Reporters Committee for Freedom of the Press, et al. This was a Freedom of Information Act suit for access to the notes of telephone conversations Henry Kissinger had prepared while he was Assistant to the President for National Security Affairs and Secretary of State. Mr. Kissinger donated the notes in 1976 as personal property to the Library of Congress and placed access restrictions on them. The requesters in the suit claimed that the notes were agency records subject to the provisions of the FOIA and that the State Department, as the originating agency, should make them available. The State Department Legal Counsel previously had ruled that the notes were the personal property of Mr. Kissinger and, therefore, the request was denied.
>
> The Supreme Court issued an opinion on the case on March 3, 1980. The court ruled that private parties had no authority, either under the Federal Records Act or the FOIA, to recover records wrongfullly removed from Government custody, and, as such, denied the request for access. The Court left the way open, however, for the Federal Government to take steps to recover the materials. NARS requested a meeting with State Department officials to begin these steps. The Department of Justice also was consulted. On January 13, 1981, the Department of Justice decided that NARS had no enforceable role to dictate to agencies what constitutes a Federal record. Upon receiving this advice, NARS discontinued the effort to bring the notes into its custody.

By far the largest number of situations in which the National Archives is faced with important legal questions involve questions of access to records which generally do not result in a lawsuit. Many of these legal issues arise from interpretation of the law governing the agency whose records are in question or from NARS interpretation of the Freedom of Information Act or the Federal Records Act. Examples of situations in which NARS routinely requires legal assistance are described below.

> 1. Legal advice on what materials can be made available to the public in response to Freedom of Information Act requests, e.g., census schedules of property in foreign countries owned on May 31, 1943, by persons subject to the jurisdiction of the United States, and seized corporate records dated after the time of seizure by the Office of Alien Property.
>
> 2. Legal interpretations concerning the scope of court orders requiring that destruction of records in the Federal Records Centers be halted pending the outcome of various anti-trust and other lawsuits, e.g., records relating to IBM, AT&T, use of "agent orange" in VietNam, and others.
>
> 3. Legal questions relating to the transfer of certain types of records to the National Archives, e.g., IRS income tax returns, grand jury testimony, informant names, and Title III electronic surveillance tapes and notes.

4. Legal assistance relating to what records could be made available in connection with Congressional hearings particularly in instances when the request was for access to donated historical materials rather than Federal records, e.g., the Pike and Church committees' investigations of intelligence agencies, Select Committee on Assassinations, Senate Foreign Relations Committee's confirmation hearings on Alexander Haig.

5. Legal assistance in NARS negotiations with the Census Bureau concerning the legality of a 1952 agreement between the Archivist of the United States and the Director of the Bureau of the Census permitting the public access to population census schedules 72 years after the date of the decennial census. The Bureau of the Census sought to invalidate the agreement and close populations census schedules in perpetuity.

6. Assistance in preparing statutory and regulatory language for NARS programs.

When the National Archives was created in 1934 the Archivist had a staff of lawyers located in the Office of the Federal Register upon which he could rely for legal assistance. Although after the National Archives was made part of the General Services Administration in 1950 and the Archivist could call on the services of GSA's Office of General Counsel, he continued to rely on attorneys at the Federal Register who had provided good legal assistance in the past and were familiar with the kinds of legal questions which arose in the Archives. In the early 1960's GSA required the Archivist to phase out the legal staff at the Federal Register on the principle that they were providing services to the National Archives which were available from GSA's General Counsel. Since the early 1960's the quality of legal assistance received by the National Archives has been mixed.

A Division within GSA's Office of General Counsel has responsibility for providing legal assistance to NARS. An attorney within this Division was designated as Chief Counsel for NARS. The attorney who served in this position during the 1970's provided good legal assistance to NARS, but he also had responsibilities in other areas.

28. Describe the costs in staff time and foregone other archival work which court-order or Congressionally-directed tasks such as the Nixon papers or FBI papers have placed on NARS. How many people are currently assigned to the Watergate Special Prosecutors Task Force? How long has it been in existence? When do you expect its task to be completed?

Watergate Special Prosecutors Task Force. Upon termination of the Watergate Special Prosecutors Force in June 1977 the records were immediately accessioned by the National Archives, reboxed and physically moved into secure segregated storage in the Main Archives building. Intensive public interest, pending litigation, and the general sensitive nature of the records, i.e., particularly in regard to the potential violation of the privacy of many individuals and Grand Jury information, demanded that these records be treated quite differently than other accessioned records. Reference requests, principally from journalists and persons involved in the Watergate incidents, began to arrive almost as soon as the 1,360 cubic feet of records were shelved. These reference requests, many of which were in the form of time-sensitive Freedom of Information Act (FOIA) requests, were answered even before the records were archivally arranged and described. Fortunately, the records have been processed and generally brought under archival control and reference, while continuing to increase, can now be handled more expeditiously.

In 1977 the Office of the National Archives assigned four employees full time to the Watergate Special Prosecutors Task Force. For the first year costs for this project totalled $82,964.

Since 1977 there have been 146 FOIA requests for these records including 25 that are still pending and several hundred other reference requests. Additionally, we have been required, sometimes under subpoena, to provide documents for Watergate related court cases. It is not uncommon for these requests to number in the thousands of pages. Servicing of these requests requires reviewing the documents line by line for constraints imposed by Grand Jury seals, FOIA exemptions considerations, and privileged information from other Government agencies. The review rate rarely exceeds one page per hour.

Costs in FY 1981 totalled $95,264.

FBI Appraisal Project. The court-ordered appraisal of FBI records has cost the National Archives approximately $500,000, including about 12 years of staff time. These resources have been withdrawn from normal archival tasks such as reference service to the public and government agencies. In addition to this basic expense, many ongoing projects have been disrupted and program continuity has been broken because of the need to use the most experienced archivists for the appraisal project.

Nixon Materials. The Presidential Recordings and Materials Preservation Act of 1974 placed the Nixon materials in the custody of NARS and directed GSA/NARS to develop public access regulations to provide for processing and opening to the public at the earliest reasonable date those materials pertaining to abuses of power.

GSA originally requested an appropriation sufficient to provide 103 additional staff members to allow completion of the processing of the "abuse of power" materials within three years. After the decision by the Supreme Court in 1977 that the 1974 act was constitutional, Congress authorized a staff size of 50 and appropriated supplemental funds for start-up costs. However, lack of full funding in subsequent years, together with space limitations and staff ceilings, has limited the Nixon Project to an average staff size of 35 over the last three years. Despite the personnel limitation, there has been steady progress in the processing of the Nixon materials.

29. Were supplementary funds provided for the extra burden placed on NARS because of these high priority tasks? Were those funds sufficient? If not, estimate the funds needed to complete those special projects in an expeditious manner.

Except for the Nixon materials project described in #28 above, no supplementary funds were provided.

30. Would you describe what an archivist is and does?

Archivists are heirs to an ancient tradition. They are the keepers of the record--of a nation, a state, a municipality, a university, a church, a business, or any institution that cares enough about its past to preserve its documentary heritage.

Archivists' responsibilities begin long before records arrive at the National Archives. Archivists familiar with agencies' records and recordkeeping practices identify as soon as possible the small percentage of records which should eventually be accessioned. Periodically thereafter, they reappraise the continuing value of accessioned records. Additionally, archivists help agencies schedule the disposition of all records. The emphasis upon these records management responsibilities of an archivist may be the most important contribution to archival science made by the staff of the National Archives.

Diverse skills and knowledge are required to take care of permanently valuable records accessioned by NARS. The archivist spends most of his time processing the records or helping others find what they need. Along the way the archivist will probably ensures the proper arrangement of the records, prepare descriptive guides, and recommends or performs necessary preseravation treatment.

Despite the most extensive processing, most researchers require assistance to help them find what they need. Effective guidance requires detailed knowledge of the contents of the Archives holdings, the ability to quickly comprehend often complex research projects, and a knowledge of American history and government, and good communication skills. It is also essential that a reference archivist interpret any necessary restrictions on access, which requires full understanding of the Freedom of Information Act.

As this brief review review indicates, the average archivist is hardly the cloistered antiquarian that some like to portray. He is a detective, a writer, an investigator of preservation techniques and new information technology, a part-time lawyer, and a full-time student of American history and government.

The National Archives has traditionally recruited trained historians as professional archivists. It is important for archivists to understand and appreciate research methodology in order to effectively assist researchers using our holdings. It is also important for archivists to have an understanding of the history of this country because of our mission to maintain, preserve, and make available those records which document the organization, functions, and policies of the Federal Government. To determine which records created today should be preserved for future generations requires a special knowledge of important people, places, and events in the United States and throughout the world from a historians perspective.

31. What is the annual visitation for research in the main Archives building? What is the trend in this regard over the past several years?

Annual visitation to the main Archives building from FY 1977 through FY 1981 is as follows:

FY 77	FY 78	FY 79	FY 80	FY 81
91,100	107,000	104,900	83,300	76,000

For exhibits:

Not available	743,733	667,451	867,857	967,103

We believe the downturn in researcher visitations is due to the wider availability of our records through the placement of copies of microfilm publications in the regional archives branches, perhaps combined with the increased costs of transportation.

32. Describe the main user groups of the Archives and the types of materials they seek.

There are two basic groups of users of the National Archives--the public and other Federal agencies. Other Federal agencies turn to the records in our holdings for documentation of past policies and practices. When considering new programs and policies, officials frequently find it useful to review the organizational structure and functions of predecessor organizations. For example, the records of the Rationing Department, Office of Price Administration, which planned and administered an equitable distribution of rationed commodities during World War II, were researched during the Carter Administration when consideration was being given to rationing gasoline.

Agencies also research records in the National Archives to defend government positions in legal matters. For instance, the Indian Trust Accounting Division of the General Services Administration is using General Accounting Office and General Land Office records to determine the value of land at the time treaties were signed with various Indian tribes. This financial information is used to review Indian settlements in preparation for court cases involving the compensation due Indian tribes for lands relinquished by the Indians according to the terms of the treaties.

The backgrounds, interests, and occupations of public users of the National Archives are as diverse as the country itself. Individuals from every walk of life make use of the records in the National Archives.

Over the past few years our reference service has grown tremendously. In 1972, 931,000 reference requests were fulfilled. By 1981, that number had grown to over 2,800,000--a 201 percent increase. A good part of the growth in our reference service is attributable to the upsurge in the interest in genealogy. Virtually 88 percent of our visitors are pursuing their family history. Of our written replies, 75 percent are in response to individuals tracing their family history.

In addition to the genealogists, agency historians, academic historians, and students, since the mid-seventies there has been a marked increase in contemporary historians and investigative reporters seeking more recent Federal records. There is intense interest in the post World War II period, including contamination of our environment, the Cold War and the Third World, and the performance of government agencies in the 1960's and 1970's. There has also been an increase in interest in ethnic history. For the most part, research trends at the National Archives parallel trends at other research institutions and reflect shifting public interest generally.

33. How many inquiries does the Archives receive for information or material in the course of a year? What is the trend in this regard over the past several years?

Following are NARS' reference service statistics for FY 1977 through 1981:

Fiscal Year	Central Office	Regional Archives Branches	Total
1977	1,803,123	575,143	2,378,266
1978	1,922,808	858,329	2,781,137
1979	1,773,565	979,693	2,753,258
1980	1,893,416	1,001,388	2,894,804
1981	1,835,127	1,128,639	2,963,766

34. How many Freedom of Information Act requests did NARS handle in FY 1981? What is your estimate of the cost in staff time of those requests? Describe if you can the reasons for many of those FOIA requests. Why wasn't the material readily available? Were most of the requests ultimately honored?

Since annual Freedom of Information Act (FOIA) reports to Congress are compiled at the end of calendar years, the following statistics are for 1980 unless otherwise noted. NARS reports on its FOIA efforts under three headings (1) accessioned records, (2) administrative records, and (3) records in the legal custody of the Defense Department or the Office of Personnel Management which are deposited at the National Personnel Records Center (NCP) at St. Louis. In 1979 NCP processed 5717 initial FOIA requests at a cost of approximately $60,000. All appeals related to the latter are answered by the agency of legal custody. The remainder of this answer applies only to accessioned or administrative records.

In 1980 NARS received 348 FOIA requests for accessioned records, 123 of which were initially denied; and 17 requests for administrative records, 3 of which were initially denied. The primary reasons for denying access to accessioned records were because (1) the records were properly classified for national security reasons, (2) other legislation prohibited disclosure, and, most frequently, (3) NARS did not have the records requested. One of the nine exemptions of the amended FOIA was cited 73 times. Only six of the denials were appealed.

NARS took extensions of the official time limitations 86 times, all but 13 of which were necessary to consult with other agencies, usually about security-classified records. The direct costs of complying with the FOIA in 1978, the last year for which such data is available, was approximately $65,000, or about 6500 hours of staff time. That translates to roughly 14 hours per request, far in excess of the normal processing time for a reference request of about 2 hours per request.

The primary reasons for invoking FOIA at NARS are:

(1) To speed up a response or avoid anticipated fees. It should be noted, however, that internal NARS deadlines are stricter than the FOIA and we do not charge anyone research fees; however, we charge everyone the same reproduction fees whether or not the records are requested under the FOIA.

(2) To establish the basis for a judicial challenge to a specific security classification or legislative prohibition on disclosure.

(3) To enlist the aid of NARS staff in general research projects. Because our shrinking staff must respond to a growing number of researchers, however, we cannot provide such general assistance, regardless of whether the FOIA is invoked.

(4) Because the requestor does not realize that an FOIA request is unnecessary to secure the desired records. At least 75 percent of our FOIA requests reflect this confusion.

Until recently, some of the specific and general NARS restrictions on access to records may have encouraged excessive use of the FOIA. Recent revisions to both specific and general restrictions should result in a modest reduction of FOIA requests in the years ahead. Presumably, however, we will continue to receive a large number of FOIA requests for access to unrestricted records.

35. Do you budget for additional staff requirements to handle these FOIA requests? How much and how many positions for 1982? 1983?

NARS does not budget separately for FOIA requirements. Annual costs for FOIA are discussed under No. 34 above.

36. What additional duties and responsibilities has NARS had to assume pursuant to the recommendations of the Public Documents Commission and Public Documents Act?

Additional responsibilities of NARS under the Presidential Records Act:

(1) Assist the White House with disposal activities. Because of the Archivist's responsibility under section 2203 (c) and (e), we examine materials proposed for disposal by the offices of the President and the Vice President; prepare representative samples for retention; advise the originating offices concerning the historical value of the materials; transfer the materials to temporary storage locations; arrange for secure destruction.

Resources Utilized: archival storage space, labor crews, equipment and trucks to move materials, and archivists' man-hours.

(2) Provide professional advice to the White House concerning records definitions and management and archival storage space for the housing of non-current Presidential and Vice Presidential records.

Resources Utilized: archival storage space, archivists' man-hours.

(3) Prepare regulations for publication concerning administration of the act, as listed in section 2206, and administer the procedures established by regulation.

Resources Utilized: archivists' man-hours.

(4) Assume a major role in the transition at the end of an Administration by planning the transfer of the Presidential and Vice Presidential archival collections to temporary or permanent storage locations.

Resources utilized: archivists' man-hours, laborers, equipment, trucks, security personnel, and archival storage space.

37. Describe functions and services which NARS currently contracts out.

NARS does not contract out the complete performance of any of its functions. NARS does obtain some services by contract in support of its functions where NARS is unable to perform the services. Certain preservation work is done by contract, for example, because the NARS lab lacks the capacity to handle it or because particular expertise (e.g., restoration of a variety of Presidential library museum items) is required. NARS has relied on commercial contractors for assistance in preparing exhibits of documents. The records centers routinely contract with a mandatory source (Federal Prison Industries) for shelving for the centers. The Editorial Branch had an experimental contract for editorial services in FY 1980, and NARS is considering further contracts of this kind.

38. Dr. Warner, a March 10, 1981, newspaper report on NARS preservation effort noted that only two percent of NARS budget or $1.7 million is devoted to preservation of written materials. In FY 1980, preservation appropriations were four-tenths of one percent of the total NARS budget. This appears to be a miniscule amount budgeted for preservation of our nation's documentary heritage. Why is this figure so low? Is there a backlog of documents to be treated, deacidified and the like? Describe.

In FY 1980 NARS spent $3.8 million on preservation or 4.6 percent of its $83.8 million budget; in FY 1981 NARS spent 4 million or 4.6 percent of its total budget of $87.7 million; and in FY 1982 NARS will spend 4 million or 45 percent of its $89 million total budget. These figures, however, understate the efforts devoted to preservation. NARS has substantial fixed cost expenditures for payments for space, heat and cooling, security systems, etc. These costs in FY 1981 total $31.5 million leaving only $46.4 million for all of NARS programs. Of this amount, approximately $12 million is devoted to the archival program. Consequently, NARS spends about 18 percent of its archives program budget on preservation, 8.6 percent of all funds available for programs, and 4.6 percent of its total budget.

39. A year ago you formed a seven-person task force to look into this issue of preservation. What were its recommendations and what actions have you taken based on those recommendations? Did any of the recommendations involved increased budget for preservation? Describe.

The seven-person Paper Preservation Task Force, which submitted its report on March 1, 1981, recommended establishing long-range preservation priorities based on records' condition, intrinsic value, and use. As the first step in implementing that recommendation, NARS has contracted for a statistical study by the National Bureau of Standards (NBS) to design a sample survey for determining the size and extent of preservation needs. The resulting information about the condition and value of the records will permit categorizing the holdings into priorities for treatment and copying.

The Task Force did not specifically recommend an increased budget. The cost of such sampling cannot be determined until the NBS design is received (July 1982). Providing the needed preservation actions will certainly require increased resources.

40. In that same newspaper article, you were quoted as saying:

"The first thing we need is a completely new building. Then a huge expenditure for encapsulation, lamination, deacidification, etc. You're looking at an immediate bill for a half-billion dollars . . . The problem is that if we stay in this building, there is no ultimate solution."

That sounds like a very serious indictment by you of the main Archives building. Describe the problems there and what actions you believe are needed to improve the situation. How much of that half-billion for immediate preservation needs have you requested in the NARS budget for FY 1983? Over what time period do you anticipate that half-billion will be requested by NARS in its budget?

The main Archives building is over 45 years old. Some of the most advanced ideas of design at the time were incorporated into its construction. There have also been regular modifications of the building since the 1930's. Recent advances, however, in the field of archival building design and dramatic changes in the types of records being created today have significantly altered the recommended standards for maintaining and preserving records. Consequently, there are serious limitations to the main Archives building, some of which can never be fully overcome.

(1) Environment. The most essential requirement of any archival facility is a controlled environment that will minimize the adverse effects of heat, humidity, light, and pollution. Unfavorable atmospheric conditions are a greater threat to the long-term preservation of records than any other single factor. Although considerable funds have been spent to overhaul the heating, cooling, and monitoring systems, many of the problems remain uncured. It would also be advantageous to filter the incoming air to control pollutant gases, such as sulfur dioxide, oxides of nitrogen, ozone, carbon monoxide, and hydrogen sulfide; and particulate matter, consisting of dust particles and soot. The main Archives building has no system to monitor or properly control these air pollutants.

(2) Building Exits. The main building only has three exits, which are not sufficient for safe evacuation of people in case of fire.

(3) Fire safety and records protection. The fire alarm, sprinkler, and stack intrusion alarm systems need upgrading. The fire alarm and intrusion alarm systems are very outdated.

(4) Lack of space. Taking into account planned internal disposal, NARS has ultimately reached its space storage limit in the National Archives building. The main building served as the only storage facility for archival records until the late 1960's when the Washington National Records Center was built and part of the records center space was allocated for archival storage. At the same time regional archives branches were established at 11 Federal Records Centers to accommodate archival records of primarily regional interest. However, accretions of Federal records that require archival storage has brought NARS once again to a point of requiring sizeable, additional archival space. Furthermore, space for the needed expansion of preservation facilities cannot be created in the Archives building without reducing space in other vital areas.

We are working closely with PBS to solve as many of the problems as we can, as an interim solution, but long-term planning is needed in this area.

With respect to the NARS' budget for FY 1983 and thereafter, OMB Circular A-10 prohibits disclosure of the President's budget until presentation to the Legislative Branch.

Senator STEVENS. Dr. Rhoads.

TESTIMONY OF JAMES B. RHOADS, FORMER ARCHIVIST OF THE UNITED STATES

Mr. RHOADS. Mr. Chairman, it is a pleasure to appear before this subcommittee to testify in behalf of S. 1421, the National Archives and Records Administration Act of 1981.

To put my testimony in context, I served on the staff of the National Archives and Records Service of the General Service Administration from 1952 to 1979. In 1966 I became Deputy Archivist of the United States, and in 1968 I was appointed Archivist of the United States, a position which I held for more than 11 years. During that period I served under four Presidents and under six Administrators of General Services.

When I became Archivist, I was not convinced of the desirability of severing the relationship with the General Services Administration, which had existed since 1949. By the time I retired 11 years later, I was thoroughly persuaded that the National Archives and Records Service could not function effectively, or realize its potential as an educational and cultural institution, so long as it was subordinated to GSA. Events since my departure have bolstered that belief.

The balance of my statement, Mr. Chairman, is generally critical of the General Services Administration as a proper organizational environment for the National Archives, and it is critical as well of actions by some individuals in GSA. However, it is not intended as a personal criticism of individuals. There have been, and are, some good and able people among the leadership in GSA, who have done their best to be supportive of NARS and its objectives. I have valued their friendship and I hope that I may continue to do so. Furthermore, this is not intended as an attack upon the Administrators of General Services as a group. They fill a most difficult and demanding position. The Administrators I have known have worked hard at a thankless, no-win job. Many of them have left the office wounded in some real or intangible sense. My point is that the Administrator of General Services has enough burdens, responsibilities, and problems, without the additional and unique responsibility for the National Archives and Records Service. All of them whom I have known have been reluctant, to say the least, to relinquish the responsibility for NARS; but I wonder if they might not have been better able to discharge their other important duties without it.

My experience, Mr. Chairman, has led me to conclude that perhaps the central problem is that many of the objectives, priorities and motivations of GSA and NARS are simply incompatible. Given the nature of GSA's responsibilities for construction and maintenance of public buildings, procurement, and management of motor pools and stockpiles of strategic materials, it is perhaps too much to expect that many Administrators—or the key officials surrounding them—would have the time, let alone the inclination or background, to develop a sensitive understanding of the needs, the motivations, or the objectives of what is in large part an educational and cultural institution, dedicated to encouraging and facilitating scholarly research.

A prime example of this occurred when the first serious effort began in the Congress to enact a privacy act. GSA was, of course, asked to comment on one or more bills. When NARS analyzed the bills and realized that, as drawn, the legislation would literally close down the Archives, we submitted a strong statement to GSA describing the impact. The Administrator's response was to set up a task force, with no membership from NARS. I finally persuaded him to rectify that omission, but even so, the Administrator's concern continued to be almost entirely with issues of computer privacy. We were required to take our case directly to the Office of Management and Budget, and on a clandestine basis, I might add, because direct contacts with both OMB and the Congress were and are prohibited by GSA policies and regulations. Finally, in his congressional testimony, the Administrator did include a brief passage alluding to some of the problems NARS faced unless the legislation was modified.

The prohibition of direct and untrammeled contact with OMB and the Congress flows naturally from the way in which GSA has been organized from the beginning. GSA's principal organizational concept has been to centralize program authority and support services for all of its activities. This may well be an appropriate arrangement for an agency with a single major function. It does not work well in a huge agency having a diversity of functions that are as dissimilar as cleaning Government buildings and preserving the most precious elements of the Nation's documentary heritage. NARS has been terribly handicapped over more than three decades by not being allowed to have its own administrative support services. During most of that time legal services, management analysis, personnel management, public information, budget, finance, and accounting, have been entirely under the control of the Administrator; and the service heads, of whom the Archivist is one, have had little or nothing to say about the way those services were provided or who provided them. There have been times when one or more of these services were excellent, more often they were mediocre, and at times they have been outrageously poor. At worst they have been absolutely counterproductive, and have been led and staffed by persons who manifested a clearly adversarial position vis-a-vis NARS managers.

The lack of any meaningful control over support services had been particularly damaging to NARS, a cultural organization isolated within a huge business-oriented conglomerate. Incidentally, I believe under its own control NARS could perform these services for less than its present assessment.

This basic problem of incompatibility of mission has had a negative impact on NARS in other respects, as well. During the 1970's when the budgets of other cultural agencies—the Library of Congress, the Smithsonian Institution, and the National Endowments for the Arts and Humanities—were growing rapidly, the NARS budget was nearly stagnant, even though its workload was increasing rapidly and there was an ever mounting volume of basic records preservation work that was urgently needed. In all fairness, it must be said that within the overall limits imposed by successive administrations, GSA usually approved the budget requests made by NARS. And Congress usually approved all or most of the NARS requests that appeared in the President's budget. The problem occurred in OMB, where the budget examiners who handled the GSA budget were oriented toward buildings construction and management, procurement, and other Government-wide housekeeping functions, and were not attuned to the requirements of a cultural agency like the National Archives. This is not to condemn OMB, for it carried out the mandates of three Presidents to increase spending for cultural programs. The simple fact is that because the Archives was a part of GSA, we were unable to make a case for our needs in an appropriate forum within OMB.

The Archivist of the United States and his top staff are required to attend innumerable staff meetings in GSA that have little or nothing to do with the programs or problems of NARS. Hundreds of expensive staff-hours are thus wasted each year that could better be spent in improving internal management within NARS, and in developing meaningful relationships within OMB, on Capitol Hill, and with our researcher clientele, that might result in a greater awareness of the objectives, problems, and needs of the Archives. Efforts to exempt NARS from unnecessary, ill-advised, and inappropriate GSA programs and initiatives, efforts not always successful I might add, are another great consumer of NARS managers' time.

A recent example of incompatibility of programs and objectives was the attempt of an Administrator to close down museums in the Presidential libraries, and educational and cultural programs in general throughout the National Archives and Records Service, on the grounds that they were a mere frill and not an essential part of the NARS mission.

It is safe to say that the overwhelming majority of NARS managers and employees feel keenly this incompatibility of mission. They feel a sense of imprisonment in an organization that is not properly equipped or motivated to deal with their problems. Equally devastating to morale is the sense that one is a part of a Government agency that is widely viewed—inside and outside the Government—as being poorly managed, inept, at times highly politicized, and at times corrupt.

There is a special danger to NARS in the fact that almost all statutory authority is vested in the Adminstrator, and not in the professionally qualified Archivist of the United States. In practice this made relatively little difference under some of the Administrators under whom I served; they consulted me on all matters of importance relating to NARS, and respected the professional judgments that were given them. But exceptions to this general rule have appeared at frequent enough intervals to be a cause of grave concern. A few examples should suffice to illustrate the point:

The Nixon-Sampson agreement which, had it not been overturned by Congress, would have given Mr. Nixon substantial control over his papers, permitted him to withdraw any of them from our custody after a brief period of years, and obliged NARS to destroy the well-known tape recordings. This agreement was negotiated and signed without our participation or knowledge.

The abrupt and arbitrary decision in 1974 to remove custody and administration of the Nixon Presidential papers and other materials from the National Archives and Records Service to the Office of the Administrator.

Changes in the proposed regulations to govern administration of and access to the Nixon papers were negotiated with congressional committee staffs without participation by NARS officials.

Removal of regional operations of NARS from the control of the Archivist to control by 11 GSA regional administrators.

Removal of a large and important central office operation—the National Personnel Records Center in St. Louis—to regional control.

A serious threat to remove the administration of the Presidential libraries from the control of the Archivist and to assign it to the GSA regional administrators.

The widely publicized plan to decentralize the holdings of the National Archives in Washington to a number of locations throughout the country, to the grave detriment of scholarly historical research.

A plan to microfilm a huge volume of records that were inexpensively stored and needed to be kept for only a few years, at great net cost to the Government.

Fortunately, not all of these ill-considered plans were implemented. But they were seriously advocated by an Administrator of General Services, who had the authority and the will to implement them. He was persuaded not to proceed only after a substantial investment of time and effort by top managers in NARS, an expenditure that would have been unnecessary had their professional knowledge and judgment been acknowledged and respected. The plan to decentralize the National Archives might very well have succeeded had not historians, genealogists, and other users of the Archives launched a determined and vocal nationwide effort to defeat it.

As long as NARS remains a part of GSA, it is going to be hampered in carrying out its important mission, subjected to at least occasional situations where an administrator seeks to or does impose his will, whether for partisan political or other reasons, over the nonpartisan and professional judgment of the Archivist and his associates.

Within the past decade there have been too many such occasions. In addition to the occurrences already mentioned, there have been a fraudulently dated deed of papers by a President of the United States, knowledge of which was kept from the Archives by GSA for over a year; pressures to show partisan favoritism in filling civil service positions; and attempts to censor professional publications. A damaging level of hostility has resulted at times when the Archivist resisted and objected to such occurrences.

It seems to me, Mr. Chairman, that not all of these occurrences can be written off as mere aberrations that unfortunately happened once but are not likely to recur. I submit that given a little time they, or something like them, will happen again. It is inherent in the dynamics of the present relationship.

Few, if any, of the problems and events I have detailed would have occurred had the National Archives and Records Service been an independent agency under the terms set forth in the legislation that your subcommittee is considering. I submit that many of them could not have occurred. That is not to say that all problems would have been solved, but there would have been a very substantial level of problem avoidance.

The best solution, in my judgment, is enactment of S. 1421, the National Archives and Records Administration Act of 1981. Senators Eagleton and Mathias are to be congratulated for interesting themselves in this important issue and for having introduced a measure that deals with it in a fair, effective, and perceptive way.

Senator STEVENS. Thank you very much.

I understand that Senator Mathias will have some questions to submit to you for the record. I would appreciate it if you will respond to them. I do appreciate your appearance and testimony. Thank you very much.

[The responses to written questions submitted by Senator Mathias follow:]

RESPONSES OF MR. RHOADS TO WRITTEN QUESTIONS SUBMITTED BY SENATOR MATHIAS

1. Dr. Rhoads, during your tenure as Archivist of the United States, your position on the independence of the Archives changed from one of opposition to support. Your testimony has cited several turning points for you in your thinking. Do you feel that because of the present organizational arrangement within GSA of NARS, that the Archivist is effectively precluded from speaking his mind on the issue of independence? Were you?

   Yes, I think the Archivist is effectively precluded from speaking his mind on this issue. When I held that position I felt that it would be inappropriate for me to publicly espouse a position which I knew was anathema to my superiors. I think that after the conclusion of the Nixon-Sampson agreement all of the Administrators of General Services realized that I had come to favor independence for the National Archives and Records Service. But as their appointee I felt that I could not take the initiative in expressing my views so long as I chose to remain in office.

2. During your tenure, how often did you personally talk to or meet the OMB budget examiner responsible for the NARS budget request? Did GSA generally represent you? What problems did this pose?

   During my tenure of more than eleven years as Archivist I personally talked to the OMB budget examiners responsible for the NARS budget perhaps ten times. On all or most occasions GSA officials were present and involved. Before 1973 we had annual budget hearings at OMB. Afterward, this practice ceased, and sometimes years passed without direct contact. During this later period we usually were required to deal entirely through an employee of the GSA budget office. It was obvious from the follow-up questions that came back to us through GSA that our position frequently was not effectively, knowledgably, or accurately presented to OMB. It is my conviction that, although GSA as a rule approved our budget requests, we were not always vigorously and effectively represented in the negotiations that followed. This compounded the problem of having to rely on OMB budget examiners who were primarily attuned to GSA's housekeeping responsibilities rather than the educational and cultural programs of NARS.

3. As I understand it, the Office of Regional Records Centers reports to the Archivist, but the regional center personnel are hired by and controlled by the GSA Regional Administrator who does not report to the Archivist. How did this arrangement work or not work while you were Archivist? Describe any significant problems with that arrangement.

One of the major subdivisions of NARS is the Office of Federal Records Centers. During most of my tenure as Archivist the line of authority flowed by delegation from the Administrator of General Services to the Archivist to the Regional Administrators of GSA to the Regional NARS operations. This arrangement enabled the Archivist to direct a consistent nation-wide records management and records center program, although NARS regional employees reported administratively to the GSA Regional Administrator. The appointment of key NARS regional officials was a joint responsibility of the Archivist and the GSA Regional Administrator. While this arrangement did not always work perfectly, the Archivist did have a reasonable degree of authority and leverage. Just before my retirement in 1979 the Administrator of General Services, without consultation with his service heads, unilaterally decided that henceforth the line of authority would flow from him directly to the GSA Regional Administrators, and that the service heads, of whom the Archivist is one, would merely be advisors to the Administrator on regional matters. The Archivist is thus without authority to effectively manage a nation-wide NARS program, even though it is he who must defend appropriation requests before the Congress, and presumably has responsibility in the eyes of Congress for proper use of appropriated funds. In several regions the regional officials immediately responsible for NARS programs have no background in archives or records management. The Archivist had no role in their selection, and has no effective control over their management of the NARS regional program.

4. What are your perceptions of the missions of the Archives? Would you describe them as substantially different than those of GSA?

I would define the missions of the National Archives and Records Service as follows:

A. To select, preserve, and make available for use the permanently valuable records of the Federal Government in the National Archives and the Presidential Libraries.

B. To carry on a program of popular education and public outreach, largely through exhibits in the rotunda of the National Archives Building and the museums of the several Presidential Libraries.

C. To publish the Federal Register and other related legal publications.

D. To operate a nationwide system of Federal Archives and Records Centers providing inexpensive storage and reference service for semi-current and non-current Federal records of temporary value, and to preserve and make available permanently valuable records that are primarily of regional origin and interest.

E. To provide authoritative guidance and assistance to Federal agencies on the management of current records and information.

The first three of these missions, and an important element of the fourth, are educational and cultural in character and have little or nothing in common with the GSA missions of providing housekeeping services for the Federal establishment. The latter two missions, comprising the records management programs, provide the rationale on which NARS' inclusion in GSA is based. They are, however, an essential part of the total "life cycle" of records; and whether NARS remains a part of GSA or is granted independence, all of these programs should remain under the direction of the Archivist of the United States. Lack of coordination and dissipation of responsibility for the nation's documentary heritage will result if they are separated.

5. Did you believe the decision by a former GSA Administrator to disperse federal records and archives from Washington to regional centers was a good one? Why or why not?

For a dozen years some of the national archives have been administered in the regional Federal Archives and Records Centers. There is nothing wrong, per se, with the idea that archives which originated in the regions and are primarily of regional interest should be housed and administered there. The headquarters records of the Federal Government that are of permanent value should, as a rule, be housed and administered centrally, preferably in Washington. Researchers who use them often need to consult records on a variety of topics, and records originating in several different agencies. They frequently need to consult materials in the Library of Congress and other Washington repositories, as well. To arbitrarily disperse large blocks of records, based on their subject matter or administrative origin, would result in unbelievable hardships on scholars, other researchers, and Government agencies needing convenient access to the Federal archives.

6. Do you believe the Archives should maintain a central Washington location? Why or why not? Would it not be less expensive to relocate the Archives away from prime downtown sites in Washington to, say, the Washington suburbs or another part of the country?

The National Archives Building, located in downtown Washington, was designed specifically for the storage and use of the nation's archives. It could not be adapted for other use. In my opinion, it would be desirable to provide the necessary additional storage and research facilities as close to the National Archives Building as possible. This would be a great convenience to the users of the National Archives, would make for administrative efficiency and economy, and would enhance the existing cultural contribution that the Archives makes to the Washington community. If a downtown site for new archives facilities is not feasible, the site should be as close as possible to the National Archives Building, and should be readily accessible by public transportation. Under no circumstances should a major archives annex be located outside the Washington metropolitan area.

7. What role did you play with the Pennsylvania Avenue Development Commission in including in the Market Square plans the potential for future Archives storage space and related uses? Do you recall how much additional space could be provided there and the cost? Do you still feel that the Market Square is a good location for an annex to the Archives? What was the feeling of the GSA Administrators under whom you served toward this proposal?

The Archivist of the United States is a non-voting member of the Pennsylvania Avenue Development Corporation. My staff and I played the leading role in persuading the PADC to include a substantial archives facility in the Market Square complex. My recollection is that approximately one million square feet of space for the Archives were included in the plan, at a cost variously estimated between $60 and $90 million. I still feel that the ideal location for additional National Archives facilities is in the Market Square complex. This feeling was shared by all Administrators of General Services who served between 1969 and 1979.

8. Who currently is vested with the authority to determine what is a federal record?

Language in the Federal Records Act, which supported the theory that the Archivist, by delegation from the Administrator, was vested with this authority, was inadvertently omitted when the Records Management Amendments of 1976 were enacted. I understand that this omission has caused severe problems in NARS' efforts to resolve the status of Henry Kissinger's telephone transcripts. In my judgment it is important that legislation be enacted which clearly vests this very basic and essential authority in the Archivist of the United States.

9. Would you be more specific about the types of enforcement powers which you feel the Archivist needs in order to carry out an effective records management program.

I think that responsibility over Federal records should be shared between the Archivist and agency heads. The Archivist,by delegation from the Administrator of General Services, has authority to promulgate regulations and standards in this field and to inspect agency records and record-keeping practices to determine whether agencies are in compliance. He also has the responsibility to report non-compliance to the Congress. The same statutory authority should be vested directly in the Archivist, and sufficient resources should be made available to carry out this responsibility. Furthermore, consideration might be given to vesting in the Archivist statutory authority to enter into legal proceedings with respect to determining what are records, and insuring the protection and eventual transfer and availability of archives.

10. Who currently controls the operations of Presidential libraries: GSA or the Archivist? Who should have this responsibility?

The Archivist, by delegation from the GSA Administrator, controls the operations of the existing Presidential Libraries through the Assistant Archivist for Presidential Libraries. The act of 1978, which provided for Federal ownership of all Presidential records created after January 20, 1981, vested this authority in the Archivist for Presidential records created after that date. As I mentioned in my statement, the delegation of authority was, in effect, twice withdrawn during the aftermath of Watergate.

11. Should the Archives be in the museum business? Explain.

To a limited extent. The National Archives Building was obviously planned to include space for exhibition of historic documents, including the three great "Charters of Freedom": the Declaration of Independence, the Constitution, and the Bill of Rights. Inherent in the Presidential Library concept is a museum in each library. Museums are explicitly provided for in the plans approved by Congress for the acceptance of Federal ownership or control of each Presidential Library. I believe that in a democracy all the people should have an opportunity to benefit from the nation's archives, not just professional scholars. Two and a half million of these people derive something of value each year from visiting Presidential Library museums and the exhibition hall of the National Archives.

12. During your tenure, what were the chief complaints of user groups concerning the Archives? What steps did you take to correct those problems?

During the early part of my tenure there were complaints about the difficulty of obtaining access to security classified records that were probably no longer sensitive. We worked intensively with the White House on Executive Orders that established an orderly declassification process which was implemented primarily within the National Archives and the Presidential Libraries. Later in my tenure, after the publication of Alex Haley's Roots, the National Archives was inundated by requests for genealogical information. We received no additional resources to cope with this demand, and in spite of procedural improvements in handling genealogical inquiries, our response time continued (and I think continues) to be too long.

13. Describe the type of censoring of Archives publications which occurred by GSA during your tenure and the steps you took to relieve the situation.

Most of these problems occurred with respect to Prologue, the quarterly journal of the National Archives. Articles contributed by academic scholars, based largely on our holdings, sometimes drew conclusions or made inferences that were favorable to the political party out of power, or unfavorable to historical figures of the party in power. This was severely resented, on occasion, by the Administrator of General Services. On my own initiative, I therefore set up an internal screening and review procedure to obviate the publication of articles that seemed likely to cause severe adverse reaction from the authorities in GSA. I'm not particularly proud of this arrangement, but it seemed the lesser of evils. The alternative, I am convinced, would have been a less sensitive, formal prepublication censorship by GSA authorities, or an order to cease publication.

14. Describe some of the problems which NARS was able to point up to the GSA task force concerning the drafting of the Privacy Act.

My recollection is that one or more of the early versions of the Privacy Act would have required us within one year to notify everyone, dead or alive, whose name appeared in records in our custody, of the presence of their name, and would have given those persons the right to require us to deny access to the records involved. This would have required the expenditure of several billion dollars, the employment of tens of thousands of people, and the derailment of most ongoing programs. Our concerns elicited almost no positive response or support within GSA. I do not have perfect recall of all the details, but they are set forth explicitly in documents that are undoubtedly a part of the NARS files.

15. You refer in your testimony to GSA internal directives that prohibit NARS employees from direct contacts with OMB and the Congress. Can you cite any specific memos or policy guidelines to this effect?

I am sorry that I cannot cite specific GSA internal directives to this effect. I am quite certain they exist, but I don't currently have access to them. I distinctly recall hearing oral reminders to this effect from Administrators of General Services and other high-ranking GSA officials. Some of the testimony of Mr. Kline before this subcommittee indicates that this policy is still in effect.

16. When you were Archivist, how much of your time, would you estimate was devoted to GSA-mandated meetings or paperwork? How much additional NARS staff time was devoted to GSA matters during your tenure?

I estimate that the Archivist spends at least 250 hours annually in GSA-mandated meetings that have little or no relevance to his responsibilities. Probably 500 additional hours are spent in the same way by other top NARS officials. I conservatively estimate that 25 staff members spend at least 10 percent of their time on non-relevant paperwork; this would approximate 5,000 hours annually.

17. Would it be feasible for NARS, if it regains its independence, to contract with GSA for certain services? What type?

Like all other Federal agencies, an independent National Archives and Records Administration would presumably have to rely on GSA for maintenance and guarding of its buildings, procurement, etc. Many of the major problems in the present relationship between GSA and NARS flow from the latter's lack of control over its support services. I doubt, therefore, that it would be in NARS' best interests to contract with GSA for most such services. GSA does have a good payroll system, however, and if I were in charge of an independent NARS I would be quite happy to contract with GSA for payroll services.

18. Dr. Rhoads, why did you take the job of Archivist of the U.S.? Were there goals you hoped to achieve and did you achieve them?

The position of Archivist of the United States represents the pinnacle of my profession. I viewed the opportunity to serve in that position as a great challenge. Among my goals were the following:

A. To develop a closer, more responsive and interactive relationship with our several clienteles. I believe that substantial progress was made in this direction during my tenure as Archivist, but the effort must be a continuing one as the relationships tend to deteriorate.

B. To increase the use of, and accessibility to, the Archives. Some of the specific steps taken were the establishment of the regional archives branches; distribution to these branches of microfilm copies of the most heavily used records in the National Archives; helping to shape--and then implement--the Executive Orders on declassification; positive use of the Freedom of Information Act to systematically reduce agency-imposed restrictions on the use of records; successful sponsorship of legislation to reduce the maximum time that such restrictions could normally remain in force; and fostering outreach programs to non-scholars, including study kits for use in the schools, film showings, classes on how to perform research in archives and on genealogical research, and tours of the National Archives Building. When I left office, the volume of reference service was between three and four times greater than it had been eleven years earlier.

C. To increase the level of records preservation measures to the point where net progress was being made in our backlog. During my tenure there was a ten-fold increase in resources devoted to preservation (from about $200,000 annually to $2 million), but this increase was insufficient to meet my goal. More resources for this basic and essential purpose are needed.

D. To improve the educational level and responsiveness of the professional staff. I believe great progress was made toward this objective, through careful recruitment, comprehensive training programs, post-entry training, and better promotional opportunities.

E. Greater involvement in international archival affairs and in the concerns of librarians and persons in other information disciplines. Substantial progress was achieved. NARS hosted the quadrennial International Congress on Archives in 1976, and I served as President of the International Council on Archives from 1976 to 1979.

19. The Society of American Archivists, in its study of the independence issue, recommended a Presidentially-appointed Archivist responding to a Board of Regents which would include former Presidents. What is your reaction to that proposal?

I think that the Archivist should be appointed by the President, subject to Senate confirmation. A bipartisan Board of Regents, including representatives of the professional groups who are the main users of the Archives, would provide useful guidance to the Archivist and help to preserve the nonpartisan professional character of the institution. I understand, however, that there may be some question about the constitutional viability of a Board of Regents containing members who are not Federal officials, and who have a statutory role in policy development for a Federal agency.

20. During your tenure as Archivist, what percentage of NARS budget was devoted to preservation and archival work? What fixed costs were part of your budget? Did they determine how much you had left over to work with for records management and archival preservation?

During my tenure as Archivist the proportion of the NARS budget devoted to archival and preservation work increased from about 35 percent to about 50 percent, if the Standard Level User Charge (SLUC) for space (introduced in the mid-1970s) is prorated among the various NARS functions. SLUC is a fixed part of the budget which NARS must pass on intact to GSA's Federal Building Fund. More precise and detailed information should be available from NARS.

21. Do you believe the Archivist should have a fixed term of office? For what period of time?

In the interest of keeping the position of Archivist nonpartisan and professional, it would be desirable to have a fixed term that will not normally end in the year in which the President is inaugurated. The ten year term provided for in S. 1421 seems appropriate to me.

Senator STEVENS. The next witness will be Dr. Charles Lee.

TESTIMONY OF CHARLES E. LEE, REPRESENTING THE SOCIETY OF AMERICAN ARCHIVISTS, DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF ARCHIVES AND HISTORY, COLUMBIA, S.C.

Mr. LEE. Mr. Chairman, for the past 20 years I have been Archivist of South Carolina and director of its Department of Archives and History. I have served as president of the Society of American Archivists and as president of the National Association of State Archives and Records Administrators. I have also been a member of the National Archives Advisory Council and of the National Historical Publications and Records Commission. Thus, I have had some experience with Archives, State and national. Among this experience, I have a close friendship and admiration for your State archivist, John Kinney. He is one of the few people in the United States I don't mind sharing a room with at the Archivists Convention. He is intelligent and good company and you are fortunate in having him.

Mr. Chairman, a man is known by the company he keeps. It is an honor today for me to speak to your committee. It is a double honor for me to be in the company of my distinguished friends and colleagues, Dr. Walter Rundell of the University of Maryland and Rabbi Malcolm Stern of New York City. I could not ask for better company.

A man is known by the company he keeps, but a nation is known by the records it keeps. A nation is known by the records it keeps—and that on several different levels and in several different ways. A nation with few or no records defining its rights, duties, and privileges is in a weak and perilous condition. Our native American Indian tribes were called nations; but having no records except those furnished them by their white neighbors, they were defenseless, except by arms, against encroachments on their heritage. A nation which keeps its records locked up, permitting its citizens to examine only those records which the authorities wish them to see, is a tyranny. The countries of the Communist world are noted for manipulating their archives and secreting their records. A nation which has lost its records generally no longer exists. The archives of the great Austro-Hungarian Empire were distributed among its successor states after World War I. The records of the Confederate States of America are not in Richmond, Va., but in Washington, D.C. Without good archives, the government of a nation cannot know itself, either through self-study or through critical examination of the records by its historians. In crisis situations it has difficulty in finding helpful precedents for action. The authority of government is dubious and shaky; the rights and freedoms of the citizens are in peril.

A nation is known by the records it keeps. Thank God that we are a government of laws and not of men, that we are a nation which makes records, cherishes them, and tries to keep them well.

But, Mr. Chairman, we need to do a far better job than we have been doing, both at the national level and in the States. All things considered, a remarkable body of records from the early days of our history survived to go into the first State archives when they were founded about 1900 and into the National Archives when it was belatedly established in 1934. If truth be known, however, we archivists have not yet adequately repaired, arranged, and indexed even this body of records we inherited some 50 or so years ago. In the meantime, government recordsmaking, like everything else in this 20th century world, has grown astronomically and become vastly more complicated.

Those archives which have coped most successfully with this records explosion, continuing to preserve and make available the records of the past while mastering the records of the present—which in turn become the archives of the future—have, generally speaking, been those like the South Carolina Archives, which have independent agency status, and records management as well as archival authority. In 1949, when the National Archives became the National Archives and Records Service under the General Services Administration, it acquired one of these attributes, the records management function, while it lost the other, independent status.

Why are both of these attributes so important? From the standpoint of records-keeping efficiency, records management saves the taxpayers vast sums of money. Good records management does not, however, take place automatically. When records pile up, when useless records are preserved along with the permanently valuables, the top executives are too busy, too high up to deal with the problem effectively. The file clerks are too timid, too low down to exercise authority. The usual response is more filing cabinets, more floor space, more buildings, more complicated records systems, until eventually the glut results in a wholesale destruction of records—the good along with the bad. For this reason, a new profession, records management, arose in the 1940's; and from this aspect of records management it seemed to make good sense in 1949 to establish the National Archives and Records Service and to place it in the General Services Administration, which was charged with the task of efficient housekeeping in all of the Federal Government.

Records management, however, has another aspect in which efficiency and cost-saving takes second place. In days past, the Archives of the Nation were the records which were able to survive destruction by earthquakes, flood, and fire or by the carelessness or indifference of their custodians. With the advent of records management, archives became the records spared by the records manager. The agencies which produce records, quite properly, spare those records which show that they have met legal and fiscal responsibilities. Their records managers, quite properly, wish to get rid of records which are no longer needed for the conduct of business. It takes a professional archivist—who believes that citizens have the right to know what their government has been doing, so that government can be judged and held accountable, whose thoughts are focused on the needs of the future, so that posterity can draw on the strengths of the past and profit from its mistakes—it takes an archivist to judge what records should become archives and kept permanently. And to do this properly, the archivist cannot simply inherit the records which agencies and their records managers choose to give him. He must have the authority to go into the agencies, to examine the records while they are still in existence, before they have been destroyed, either willfully or with good intentions.

Mr. Chairman, I have spoken at some length about the intimate relation of archives and records management because it would be a tragic error, I believe, to ignore the real insight, the real achievement of 1949. Whatever the placement of the National Archives, archives and records management belong together.

Why, then, if the marriage of archives and records management seems so desirable, was it a mistake and a continuing one to place the National Archives and Records Service under GSA? Simply because, so placed, the National Archives cannot fulfill the responsibility that it should and must have—the responsibility of being custodian of all the permanently valuable records of all branches of the Federal Government and of being the leader and coordinator—not the boss—of all of the other archives throughout the country devoted to the preservation and study of the records of the Nation. Simply, because so placed, the National Archives cannot be what it has to be—an essential and vital part of the Federal Government and a leader for us all.

But, you say, the essential and vital parts of the Federal Government, and its leadership, are embodied in its three branches: The Presidency, the judiciary, and the Congress. True, but these three branches of Government exist in time, as well as in the moment. President Reagan draws strength from all of his predecessors, from George Washington on. The Supreme Court cites the decisions of Marshall, Taney, Chase, and Holmes. This chamber builds on legislation sponsored by Webster, Clay, Calhoun, La Follette, Borah, Taft, and a host of others and draws courage from their achievements. The three branches of Government do not live in the past—

God forbid—although a reverence for the Founders of the Nation is altogether fitting and proper. Rather we should say, the past of our three branches of Government lives in our present President, our present Congress, our present Federal judiciary—just like the air and blood of our bodies—rarely consciously felt, never fully comprehended, but absolutely vital to our existence.

Here is the basic reason for an independent National Archives. While for purposes of administration it can be placed, as it is by S. 1421, in the executive branch, it cannot be subordinated to anyone of the three branches. Vital to the continued existence of the custodian of the history of all three, it must be responsible for and responsible to all three. In a very real sense the National Archives is a fourth branch of the Federal Government, the Federal Government as it has existed in time, from 1776 to present day. The responsibility of the Archivist of the United States is such that he must have free access, without intermediary, to the President, the Chief Justice, the Speaker of the House, the President pro tempore of the Senate, the chairman of this committee and this subcommittee.

Since the Archivists of the United States have not had that free access in recent years, I do not think any of us knows exactly what the situation of the National Archives actually is; how well or how poorly it is doing its job, what it conceives its role to be, what its goals and aspirations are for the future. This ignorance, I think, is shared by the archival and historical professions, the Congress, the White House, and even the General Services Administration itself. For this I don't blame the General Services Administration. It has a dismayingly complicated job. The National Archives and Records Service is a small part of its overall responsibilities and must take its place among other GSA priorities. GSA itself must accommodate itself to the overall priorities and policies of the executive branch.

Rather, I blame the rest of us who have suffered this muzzling, this humiliating subordination of the National Archives, our fourth branch of Government, far too long.

For the National Archives and Records Service to speak out to the President, the judiciary, the Congress, and a concerned citizenry, for it to assume its rightful role in councils of the Nation, it must become the free and responsible National Archives and Records Administration envisioned in this bill.

Therefore, while there are some specifics I should like to see altered and on which I hope to file a fuller statement, I endorse Senate bill 1421; applaud its authors, Senators Eagleton and Mathias, for introducing it; urge its favorable consideration by this subcommittee and the Committee on Governmental Affairs; and hope for its early enactment by the Congress.

Senator **STEVENS**. We shall look forward to receiving your comments and suggestions concerning the bill.

Doctor, I am constrained to ask, however, whether you see this bill as a vehicle to obtain greater financial support for the Archives? Is that one of the results that is sought by this bill, in your judgment?

Mr. **LEE**. That will be up to the Congress. But what this bill does is allows the Archivist of the United States to let the Congress know what its needs are. As a matter of fact, I do think the National Archives is terribly underfunded. My own State archives has $2½ million, $2 million of which is devoted completely to the archives and records management function and we are by no means the richest State in the Union. Dr. Warner said he got about $90,000.

Senator STEVENS. $90 million.

Mr. LEE. Yes. Multiply $2½ million by 50, you get $125 million on a poor State level. But it will be up to the Congress to decide—whether the needs of the Archives are met by the current budget or not.

My point is, I don't think you are getting the information that you need to get from the National Archives right now.

Senator STEVENS. You do applaud the joiner of the Archivist's function and records management of the 1949 act?

Mr. LEE. Yes, sir.

Senator STEVENS. But you say, I gather, that the mistake of the 1949 act was placing the GSA in the position of administrative control over the Archives?

Mr. LEE. Yes, sir.

Senator STEVENS. The testimony here this morning indicates that there are only two people who have any direct relationship to the Archivist, the GSA Administrator and the Deputy. That doesn't seem like very heavy-handed control; it is strictly top management.

Mr. LEE. Senator, in addition to the Deputy Administrator and the Administrator, the National Archives is buried in the executive branch, and, as you know, goes through White House review, goes through OMB review, and by the time the Archivist of the United States speaks to this subcommittee and to the committee as a whole, what it is giving is not the free and independent testimony that the Archivist of the United States would give; but his attitude is modified considerably by the time it gets here, as Dr. Rhoads testified to.

Senator STEVENS. With due respect, I heard the same testimony from past directors of the National Park Service.

Mr. LEE. Surely.

Senator STEVENS. And from those who helped the Endowment for the Arts and Humanities, that they need greater direct access to the executive branch decisionmakers and the congressional decisionmakers.

Mr. LEE. My answer to that, Senator, is that the National Archives, the Archivist of the United States, do not belong to the executive branch. The National Archives has the records and should have the records of the courts and the records of the Congress. It has the records for all of the United States Government. It should not be a subsidiary to the executive branch.

Senator STEVENS. I understand; it is a very difficult problem. The OMB submits to the Congress its own budget, I don't know if you realize that.

Mr. LEE. Surely.

Senator STEVENS. It submits to the Congress the budget of the judiciary but it is responsible only to the President directly. And we do have strange patterns of government in our democracy and someone has to have responsibility for things like budget control.

In terms of records control, you imply that the Archivist's function ought to be independent of all three. Is that really your position?

Mr. **Lee**. No. My phrase was "responsible for and responsible to all three." Let me give you one example. For 3 or 4 years running, the House Appropriations Committee gave money to the National Historic Preservation and Records Commission, which is the public service wing of the National Archives, by taking it out of the National Archives' budget. And I knew from talking to the people in the National Archives and particularly to Burt Rhoads, that this was hurting the National Archives' operation. So, I went to Burt and I said: "Why can't we go up to the Hill and say that the money for NHPRC is important and the money from the National Archives is important?"

I don't know whether Burt is still here or not, but he said, "I can't do that without an invitation to do so."

In other words, what I am saying, in that little particular situation, Congress was not getting the information that it needed to deal intelligently with a problem of the National Archives. And I think Dr. Rhoads' testimony indicated that again and again. And what I am saying is that the records of the Nation are so extremely vital to its operation that the National Archives must be responsible to all three of the branches of Government, but particularly to the Congress so that the Congress can understand what the National Archives' needs are, what it is doing.

Let me give you another example that Dr. Rhoads didn't mention. The General Services Administration some years ago when we were having very promising experiments with the use of computers for getting control of archival information, General Services stopped that computer activity and we were set back in the profession 2 or 3, 4 years at least in what has turned out to be a way of doing things which is far more efficient, far more economical than the old fashioned way.

This isn't willfullness on the part of the General Services Administration; they just have too much to do.

Go one step further. We began in South Carolina with our records center and records management under our State GSA, but they were so concerned with autofleet and getting new buildings and with office files and so forth and so on, that they finally threw up their hands and they turned it over to us at the State Department of Archives and they wouldn't take it back for the world.

Senator **Stevens**. I do appreciate the position. You make a very forceful statement and I will tell my friend that his former roommate appeared before the subcommittee.

Mr. **Lee**. If you see him, give him my regards.

Senator **Stevens**. I do believe, Dr. Lee, that Senator Mathias may also have some questions to submit to you, particularly following your comments concerning the specifics of the legislation.

[Dr. Lee's prepared statement and responses to written questions submitted by Senator Mathias follow:]

PREPARED STATEMENT OF CHARLES E. LEE

Mr. Chairman, I am Charles E. Lee, for the past twenty years Archivist of South Carolina and Director of its Department of Archives and History. I have served as President of the Society of American Archivists and as President of the National Association of State Archives and Records Administrators. I have also been a member of the National Archives Advisory Council and of the National Historical Publications and Records Commission. Thus I have had some experience with Archives, State and National.

Mr. Chairman, a man is known by the company he keeps. It is an honor today for me to speak to your committee. It is a double honor for me to be in the company of my distinguished friends and colleagues, Dr. Walter Rundell of the University of Maryland and Rabbi Malcolm Stern of the Leo Baeck Institute in New York City. I could not ask for better company.

A man is known by the company he keeps, but a nation is known by the records it keeps. A nation is known by the records it keeps--and that on several different levels and in several different ways. A nation with few or no records defining its rights, duties, and privileges is in a weak and perilous condition. Our native American Indian tribes were called "nations"; but having no records except those furnished them by their white neighbors they were defenseless, except by arms, against encroachments on their heritage. A nation which keeps its records locked up, permitting its citizens to examine only those records which the authorities wish them to see, is a tyranny. The countries of the Communist world are noted for manipulating their archives and secreting their records. A nation which has lost its records generally no longer exists. The archives of the great Austro-Hungarian Empire were distributed among its successor states after World War I. The records of the Confederate State of America are not in Richmond, Va., but in Washington, D.C.. Without good Archives, the government of a nation cannot know itself, either through self-study or through critical examination of the records by its historians. In crisis situations it has difficulty in finding helpful precedents for action. The authority of government is dubious and shaky; the rights and freedoms of the citizens are in peril.

A nation is known by the records it keeps. Thank God that we are a government of laws and not of men, that we are a nation that makes records, cherishes them, and tries to keep them well.

But, Mr. Chairman, we need to do a far better job than we have been doing, both ~~at~~ the national level and in the states. All things considered, a remarkable body of records from the early days of our history survived to go into the first state archives when they were founded about 1900 and into the National Archives when it was belatedly established in 1934. If truth be known, we archivists have not yet adequately repaired, arranged, and indexed even this body of records we inherited some fifty or so years ago. In the meantime, government records-making, like everything else in this twentieth-century world, has grown astronomically and become vastly more complicated.

Those archives which have coped most successfully with this records explosion, continuing to preserve and made available the records of the past while mastering the records of the present (which in turn become the archives of the future) have, generally speaking, been those like the South Carolina Archives, which have independent agency status, and records management as well as archival authority. In 1949, when the National Archives became the National Archives and Records Service under the General Services Administration, it acquired one of these attributes, the records management function, while it lost the other, independent status.

Why are both of these attributes so important? From the standpoint of records-keeping efficiency records management saves the taxpayers vast sums of money. Good records management does not, however, automatically take place. When records pile up, when useless records are preserved along with the permanently valuables, the top executives are too busy, too high-up to deal with the problem effectively. The file clerks are too timid, too low down to exercise authority. The usual response is more filing cabinets, more floor space, more buildings, more complicated records systems, until eventually the glut results in a wholesale destruction of records--the good along with the bad. For this reason, a new profession, records management, arose in the 1940's; and from this aspect of records management it seemed to make good sense in 1949 to establish the National Archives and Records Service and to place it in the General Services Administration, which was charged with the task of efficient housekeeping in all of the Federal Government.

Records Management, however, has another aspect in which efficiency and cost-saving takes second place. In days past, the Archives of the nation were the records which were able to survive destruction by earthquakes, flood, and fire or by the carelessness or indifference of their custodians. With the advent of records management, archives became the records spared by the records manager. The agencies which produce records, quite properly, spare those records which show that they have met legal and fiscal responsibilities. Their records managers, quite properly, wish to get rid of records which are no longer needed for the conduct of business. It takes a professional archivist--who believes that citizens have the right to know what their government has been doing, so that government can be judged and held accountable; whose thoughts are focussed on the needs of the future, so that posterity can draw on the strengths of the past and profit from its mistakes--it takes an archivist to judge what records should become archives and kept permanently. And to do this properly the archivist cannot simply inherit the records which agencies and their records managers choose to give him. He must have the authority to go into the agencies, to examine the records while they are still in existence, before they have been destroyed, either wilfully or with good intentions.

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Here is the basic reason for a independent National Archives. While for purposes of administration it can be placed, as it is by S 1421, in the Executive Branch, it cannot be subordinated to anyone of the three branches. Vital to the continued existence of all three, custodian of the history of all three, it must be responsible for and responsible to all three. In a very real sense the National Archives is a fourth branch of the Federal Government, the Federal Government as it has existed in time, from 1776 to present day. The responsibility of the Archivist of the United States is such that he must have free access, without intermediary, to the President, the Chief Justice, the Speaker of the House, the President Pro Tem of the Senate, the Chairman of this Committee and this Subcommittee.

Since the Archivists of the United States have not had that free access in recent years, I do not think any of us knows exactly what the situation of the National Archives actually is; how well or how poorly it is doing its job, what it conceives its role to be, what its goals and aspirations are for the future. This ignorance, I think, is shared by the archival and historical professions, the Congress, the White House, and even the General Services Administration itself. For this I don't blame the General Services Administration. It has a dismayingly complicated job. The National Archives and Records Service is a small part of its overall responsibilities and must take its place among other GSA priorities. GSA itself must accommodate itself to the overall priorities and policies of the Executive Branch.

Rather, I blame the rest of us who have suffered this muzzling, this humiliating subordination of the National Archives, our fourth branch of government, too long.

For the National Archives and Records Service to speak out to the President, the Judiciary, the Congress and a concerned citizenry; for it to assume its rightful role in councils of the nation; it must become the free and responsible National Archives and Records Administration envisioned in this bill.

Therefore, while there are some specifics I should like to see altered and on which I hope to file a fuller statement, I endorse Senate Bill 1421; applaud its authors, Senators Eagleton and Mathias, for introducing it; urge its favorable consideration by this Subcommittee and the Committee on Governmental Affairs; and hope for its early enactment by the Congress.

DR. LEE'S RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR MATHIAS

"1. Dr. Lee, for the record and the benefit of many people who are unfamiliar with your profession, would you describe what an archivist is and distinguish his professional training from that of an historian."

An archivist is a custodian of historical records who has the responsibility of keeping those records safe and making them available to people who need the information contained in those records. At one time the term "archives" was applied only to the inherited operating records of organizations, public and private; the term today is generally applied also to collections of documentary materials. While archives most commonly consist of words written on paper, they also include other means of communication recorded on various media--from images embossed on baked clay by the ancients to blips recorded on computer discs today. The most distinguishing feature of archives, however, is their uniqueness. Far more often than not, archives are historical records in single copy form in contrast to published, printed materials of which there are usually thousands of copies. The quality of uniqueness in archives is what sets apart the craft of the archivist from that of librarian. Library methods don't work with unique copies; archival methods don't work when multiple, published copies are the problem.

Since the unique records which the archivist has custody of are historical, whether they are records of a thousand years ago or of only yesterday, the archivist must have historical sense, knowledge of the historical periods in which his archives originated, and understanding of how historians use records for the writing of history. It follows that the basic training of the archivist should be that of an historian, and like the historian he should have knowledge of related disciplines-law, economics, political science. But the archivist must gain knowledge and skills which teaching and writing historians do not have to have. Especially in the field of government archives, the archivist must learn the principles of records management, since the form and manner in which records are kept and the decision on whether to destroy records or not after they have served the immediate usefulness determine the archives which will be permanently retained. In approaching his task of records management, the archivist combines the skills of a business efficiency expert, a lawyer, and an auditor with those of a critical historian. As I have indicated above, collecting historical documents as well as records management can produce archives. The archivist, once the historical records have been inherited or collected, must be expert in a number of other skills. The records must be accessioned in such a way that the circumstance of their acquisition is known, restrictions of access or other obligations concerning the records is made clear, and above all in such a way that the particular records might be found again among the millions of others with which it is to be housed. The information contained in the records must be known by the archivist in enough detail for him to make "finding aids" (catalogue cards, calendars, registers, guides, and the like) so that the researcher can find the information when he needs it. All archivists must have a good knowledge of document conservation; those actually practicing it need better than basic training in physical and organic chemistry. Every archivist these days must have knowledge of microfilming techniques and standards. More and more the archivist needs to be skilled in computer technology or know enough about the subject to hire and direct experts in the field. Because the training of a professional archivist goes so far beyond that of the professional historian, the Society of American Archivists has made great efforts in the past decade to provide that training in seminars and workshops and notably in a series of specialized manuals. The Society's journal, The American Archivist, is a continuing means of educating persons in the profession. A number of colleges and universities offer archival training, usually through their departments of history or schools of librarianship. Some of these provide good basic introductions to the field; others are virtually useless. The Society of American Archivists has been seeking ways of distinguishing the good ones from the poor ones. No one, however, in my opinion can become a good professional archivist without considerable on-the-job-training and working experience. The South Carolina Department of Archives and History does not admit an employee to the professional ranks until he or she has at least one year of working experience in addition to an A.B. degree or its equivalent.

"2. Would you estimate the number of archivists in the U.S. today?"

"3. Are most of them affiliated with the Society of American Archivists?"

The best that I can do is to answer the two questions together. So far as I know, no one has tried to count the number of archivists in the United States today. Perhaps the Bureau of Census could provide the best estimate. The Society of American Archivists has around 2,000 members. About one fourth of my own employees are members. If this ratio held nationally one might guess that there are around 8,000 or 10,000 archivists today.

"4. As Archivist for the State of South Carolina, describe the organizational arrangement of your office within the State government. Has it worked well?"

Under state law the South Carolina Department of Archives and History is an independent agency under the authority of a governing Archives and History Commission. This Commission by statute consists of ten members: Two members appointed by the Governor with the advice and consent of the Senate to serve concurrently with the Governor who appoints them; the four chairmen of the Departments of History of the State's largest tax-supported colleges and universities; nominees from the South Carolina Historical Association, the South Carolina Historical Society, and the American Legion approved and appointed by the Governor; the Chairman of the South Carolina Revolution Bicentennial Commission, who serves ex-officio through December of 1982. As Director of the department, I am responsible for proposing policy to the governing Commission and for implementing policy approved by them. I work generally, of course, under the general rules and arrangements of South Carolina government, turning for direction on fiscal, personnel, and house-keeping matters to the South Carolina Budget and Control Board, which consists of the Governor as Chairman, the State Treasurer, the Comptroller General, the Chairman of the Senate Finance Committee, and the Chairman of the House, Ways and Means Committee. On general state-wide policy matters my Commission and I take direction immediately from the Governor.

Although the Budget and Control Board (after receiving budget requests and holding hearings) presents the proposed budget to the State Legislature, along with other agency heads I do not have to support the recommended budget down to the last jot and tittle but am free to go to the appropriations subcommittees in the House and the Senate to ask for increases or changes. This is considered entirely proper by the Governor, the Board, and the General Assembly; and it is a far better system than followed by the Federal government and by many other states. Since the Board has not only the Governor but the Senator and the Representative most responsible for appropriations in the General Assembly, the Budget presented by the Board is respected and is polished and refined, rather than being drastically altered, in the House and in the Senate; since the agency head can speak freely according to his best professional judgment on appropriations or on all other matters to members of the House and Senate, they are well informed of the agency's activities and needs; since a constitutional provision forbids the budgeting of a deficit in South Carolina, there is no possiblity of budget busting through agency head requests or pressure from interest groups.

A number of states in recent years have reorganized to give themselves what they call "a cabinet form of government," in imitation of the Federal government, they seem to think. They have grouped their specialized agencies together under special Secretaries of Cultural Affairs or of Natural Resources, for example. South Carolina has resisted this temptation. Our Governor and his advisors have thoughtfully considered this approach and rejected it. At the most recent meeting of state agency heads, the Governor made it clear that he and the other leaders of the state felt that the specialized agencies were more effective and economically efficient. Rather than setting up umbrella secretariates, we are setting up interlocking functional groups. The South Carolina Department of Archives and History, because of its varied interests and concerns, will be a member of three or four of these functional groups, working and planning together and deciding how common concerns might best be carried out and funded, consequently making better recommendations to the Budget and Control Board.

As you can gather from the above brief exposition, I believe that this organizational arrangement has worked well. The Department has grown in the last twenty years from and agency of thirteen employees under an appropriation of $87,000 to its present staff of around 120 with an appropriation of over two and a half million dollars. Some fifteen years ago the Department of Archives and History and the State's Division of General Services shared the Records Management function; after a few years General Services cheerfully surrendered the complete authority to us. The records of virtually all of the state agencies are on schedule; we are saving the state hundreds of thousands of dollars annually; and we are successfully reducing the bulk of the non-current operating records of state government into useable permanent archives. We are making great progress with the records in the county courthouses and are turning our attentions to the municipalities. Our General Services Division, if it had retained the Records Management function, might well have provided office efficiency to the state agencies as well as we have. Since they are not concerned with permanently preserving the records of the State's history, however, the resulting archives would be either non-existent or unsatisfactory.

"5. Are you a frequent user of the National Archives? Describe frequency of use and types of information sought."

"6. As a user of the Archives, what are the chief benefits and drawbacks to the present National Archives system from a user viewpoint?"

As an archivist rather than a writing or teaching historian, I have not been a frequent user of the National Archives. As an archivist I've visited the National Archives on occasion particularly to examine microfilm of records relating to South Carolina which we might wish to purchase for our use at the Department of Archives and History. The microfilm publications program of the National Archives, which permits depositories throughout the country to have copies of records which pertain to state and local history and to state-federal relations, is one of the greatest benefits of the National Archives system. In past years we have been a heavy purchaser, so that we boast among our holdings the Papers of the Continental Congress, the Pension and Bounty Land Claims of the American Revolution, the Confederate Services Records, the Census Records, Friedman's Bureau Records, and many more. Publication of The Papers of John C. Calhoun, until recently directed by this Department, would not have been possible without access to the records of the War Department, the Secretary of State, and the Congress which are at the National Archives; special microfilming of parts of these record groups have been essential to the progress of this great publication.

Also as an archivist, I have frequently turned to the National Archives for special training and services. Most of our top staff today attended the Institute on Archives Administration given by the National Archives. We have received valuable advice and training from the National Archives in the area of document conservation. Our present computer-assisted finding aid system, one of the most advanced in the country, came from the development of the Spindex System at the National Archives. (Our efforts were hampered and our endeavor was almost brought to nought, incidentially, when the General Services Administration around 8 years ago withdrew its support from this Spindex program.) Our Records Management Program in South Carolina began through workshops sponsored by the regional office of NARS-GSA; the active initiation of the program was tremendously assisted by the Deputy Archivist of the United States who came to South Carolina at the request of our Governor to tell the state's agency heads about the importance of records management. The kind of outreach and help which I have described above is practically non-existent today. NARS-GSA seems to lack both the funds and the will to be helpful, as it once was.

As a private citizen, I've occasionally sought genealogical information at the National Archives. Here the difficulty is the one experienced by most archives: inadequate finding aids and inadequate staff to bring the user and the records together.

"7. Do you believe the Archivist of the United States should be appointed for a fixed term? How long?"

I do not believe the Archivist of the United States should be appointed for a fixed term, nor do I believe that he should have tenure for life or until retirement age on good behavior. I do believe that the Archivist of the United States should have access to the President and to the Congress without intermediary. I also believe that the Archivist of the United States should be free from political pressure from either the White House or the Hill. I think everyone should be responsible to someone else. I think a fixed term of even so short a time as a year is too long to tolerate an incompetent person. I think having the Archivist of the United States responsible to a commission similar to my own is the ideal solution. See my answer to the next question.

"8. Should the Archivist report to a Board of Regents which would include former Presidents of the United States, as suggested in your organization's original position on independence? Why or why not?"

I believe that the Archivist should report to a Board of Regents or a commission, that he should be appointed by this Board and that he should serve at its pleasure. Former Presidents of the United States would certainly give the Board needed prestige, and the oldest President in point of service might well serve as chairman. However, former Presidents are sometimes few in number, and there can be situations when there are none at all. They are also likely to continue to be busy public figures, whose time is much in demand. I would say that the idea is attractive but perhaps not a good one. Neither do I think that Senators, Congressmen, or members of the Supreme Court should serve. In my experience on national commissions, this means that they are really represented by members of their office staffs. But I do think that the governing board of the archives should include persons named by the three main Branches of U.S. Government: persons in whom the White House, the Congress, and the Court have confidence, although not of their active membership. I also think that this

Board should include representatives from the major historical, archival, and records management associations: I think the Society of American Archivists, the National Association of State Archives and Records Administrators, the Association of Records Managers and Administrators, the American Historical Association, the Organization of American Historians, the American Association for State and Local History, and the American Society for Legal History. Except for the fact that the Presidents of most of these associations serve for only one term, I would say that the presidents could service ex-officio. One year is too short a term in a governing body, and the turnover would be too rapid.

Such a board, I believe, would be able to appoint an able Archivist, to judge whether or not he is doing a good job, and to protect him from too great political or peer-group pressure. This board would be policy-making, not in charge of the day-by-day business of the National Archives. While the Archivist of the United State would in ordinary circumstances report to this Board, he should also have free access, as I've said above, to the White House, the Congress, and the Supreme Court.

Under such a system the archivist, Archivist of the United States, would have reasonable freedom, be responsible to the groups and branches of government whose interests are most involved, and be ultimately under the control of Congress, since Congress would have the power to repeal or amend the statute which set up the Archivist and the Commission.

"9. When was the first time, the Society of American Archivists took a position in favor of restoring independence to the Archives? Has that position changed in any detail over the years?"

A definitive answer to this question would involve considerable research and exposition. As nearly as I can determine, the Society first went on record on this matter when its Council at its meeting of December 28, 1967 resolved "the national archival and records management system should be restored to independent status as the National Archives and Records Authority administered by an Archivist of the United States appointed by the President and assisted by a Board of Regents." (American Archivists, vol. 31, p.213.)

However, on September 29, 1968 the Council modified its statement to read as follows: "The National Archives and Records Service should be given sufficient autonomy,either under the General Services Administration or as an independent governmental agency, to maintain its position as one of the leading archives of the world. The Society urges the creation of an advisory council representing the archival profession and the several professional disciplines served by the National Archives and Records Service." What brought about this change in position could be answered with definiteness only by considerable research, including depositions from the members of Council at that time. From my knowledge of debates on the question during succeeding years I would guess that the perception that Congress and the White House were both opposed to the creation of independent agencies, that archivists feared that the National Archives would lose control of the records management function if made independent of GSA, that GSA was seen as opposed to the separation, that archivists continued to hope that a strong

GSA would become a strong supporter of a strong National Archives, and that a National Archives, divorced from the Records Management function, would degenerate into a comparatively unimportant "cultural" activity all had something to do with the matter.

Some of these perceptions and fears persist today; but mishandling and misinterpretation of the National Archives and its needs by successive Administrators of General Services (both Democratic and Republican appointees) have made it clear to the vast majority of archivists today that the resolution of December 28, 1967 was the correct one.

"10. To your mind, what is/are the greatest threats to our nation's archives?"

The single greatest threat to our nation's archives is lack of understanding by the Congress and successive Presidents. The making and keeping of records and keeping those records open for public scrutiny is one of the prime necessities of free representative government. Failure to understand that this is what the National Archives is all about is primarily responsible for the inadequate administration and support of the National Archives in recent years. Lack of this understanding has enabled the White House to think that successful businessmen, competent in their own areas but utterly incompetent in archival administration, are suitable persons to have custody and authority over the archives of the United States. Because succeeding Archivists of the United States have had to come to Congress as directed spokesmen of these incompetent Administrators, the lack of understanding by Congress is perhaps more excusable. By now, however, enough has been said on the matter by experienced archivists and historians in testimony before Congressional committees that ingorance on the part of Congress is no longer excusable. If Congress still believes that American government is a government of laws and not of men, that a record of governmental activity should be kept, and kept open to the scrutiny of the citizens,then a full-fledged investigation of what the National Archives is all about and how it should function is in order. A day or two of testimony before Senate and House subcommittees won't give Congress the information that it needs.

The second greatest threat comes from the archivist and historians themselves who, like Congress and the Presidents, often fail to understand what the primary, essential task of the National Archives is. Many of my colleagues think that the records in the National Archives are kept there for "historical research." If by "historical research" one means research and judgment by professional historians and political scientists into the achievements and failures of the United States as a government and as a people, this is certainly so. But if "by historical research" one means research into any matter, however unimportant, an historian cares to put his mind to, then one must firmly deny that this is what the National Archives is essentially about. The essential role of the National Archives is to preserve enough of the operating records of the United States Government so that the Government itself and its citizens can make judgment on the operations of the Government. In addition to meeting this central goal, the records at the National Archives can be used to answer all sorts of interesting and important questions (and unimportant ones too, for that matter). But the National Archives do not exist simply to provide topics for books and essays by historians or the material for family histories by genealogists. Overemphasis of these latter uses, good in themselves, has diverted attention from the essential character of the National Archives: It is one of the vital life-support systems of the United States Government and its people.

When the White House, the Congress, and the archivists and historians themselves realize that this is the case, proper organization and support of the National Archives will be forthcoming.

"11. Do you believe NARS should have control over federal records for their entire life cycle? Would this require additional powers for NARS? Describe."

I believe that NARS should have authority over federal records for their entire life cycle, but this does not necessarily mean exclusive authority. Since the operating records of government now produce the permanent records, the archives, of the future, the Archivist of the United States must have some say-so over the form in which these records are made, so that the essential can be retained and that the non-essential eventually discarded. Since the federal records are made as a record of government activity and to accomplish the work which government is called upon to do, however, the branch or agency of government making and using the records should have primary say-so with regard to their form and exclusive say-so with regard to their content. On the scheduling of records--what and how long records should be retained for fiscal or legal or administrative purposes--the originating branch or agency and the Archives should have equal say. When these requirements have been met, the Archives should have the power to decide what records should be kept permanently and in what form. On the question of what records should be restricted and what records should be open to scrutiny the Archives and the branch or agency should make a joint decision, with appeal to the courts in case of disagreement. It is, of course, better to err on the side of freedom of information.

I think that I have described the powers that NARS needs with regard to the life cycle of federal records. Twenty years ago it was assumed that NARS had statutory power to carry out these functions. Events in recent years seem to indicate that statutory revision making these functions clearly a NARS responsibility would be a good idea.

"12. What is your feeling and that of your society on separating the records management function from the archival function, with one being retained by GSA and archival activities being once again made independent?"

Except in the narrowest sense of office efficiency, the records management function cannot be separated from the archival function if the aim is to have good archives--that is, an adequate, responsible record of the policies and operations of the United States Government. This is not the basic and goal of the General Services Administration, nor of records managers unless they are also good archivists (and they should be, but the General Services Administration won't be able to tell). The archivist will become a good records manager in order to get good archives. Unfortunately, the reverse is not necessarily so.

To tell the truth, while there is much talk about "the life cycle of records" from both people who look upon themselves as professional archivists and people who look upon themselves as professional records managers, there has been little productive conversation going on between the two groups in recent years. One of the reasons for this is the inclusion of manuscript curators among the ranks of archivists; while manuscript curators collect valuable historical documents, they have little or no concern with records management as the producer of archival materials. Similarly, many records managers in state and local government and in the business world, come under persons primarily concerned with efficient and economical administration; neither these record managers nor their boses are concerned with the historical use of the records they are making and disposing of. (Although many a business, when it comes to writing its company history, wishes that their records managers had not destroyed their out-of-date operating records.)

"13. Have you ever had to make a Freedom of Information Act request in order to procure documents from the National Archives? Describe."

No.

"14. What is the position of your society and you on maintaining a central Washington location for the National Archives? Why is this important?"

The National Archives should have headquarters,and the most important of the National archives should be on deposit,at a central Washington location for the same reason that Congress, the President, and the Supreme Court should be there. The National Archives is an essential part, a vital part of the United States Government. This does not mean that many of the federal records cannot be housed in other depositories throughout the country. There is no good reason, it seems to me, why federal records primarily of regional or state interest should not be physically placed in regional records centers and archives. Records of specialized agencies might also be kept together and placed at special depositories throughout the country. It is manifestly impossible to have all of the federal records which a researcher might wish to see under one roof. In my judgment the system of Presidential libraries and of regional archives and records centers has in past years worked reasonably well.

Judgment on what to retain in Washington and what to place in regional depositories should, however, be made by the Archivist of the United States (and, I hope, a governing qualified Board or Commission)--and not by the Administrator of General Services.

The Archivist of the United States and the most important and most used of the records of the United States Government (in one form or another; in many cases microfilm will have to do) should remain right where they are, on Pennsylvania Avenue in our Nation's capital.

Chas. E. Lee

Respectfully submitted, Charles E. Lee
July 7, 1982

Senator STEVENS. Our next witness will be Dr. Walter Rundell.

TESTIMONY OF WALTER RUNDELL, JR., REPRESENTING THE ORGANIZATION OF AMERICAN HISTORIANS, DEPARTMENT OF HISTORY, UNIVERSITY OF MARYLAND

Mr. RUNDELL. Mr. Chairman, members of the subcommittee, I am Walter Rundell, Jr., professor of American history at the University of Maryland. I am testifying for the Organization of American Historians, whose Committee on Bibliographical and Research Needs I chaired for 5 years. Additionally, I am a past president of the Society of American Archivists and am president-elect of the Western History Association. My purpose is to urge the subcommittee to report favorably upon and to urge Congress to pass S. 1421, legislation to establish an independent National Archives and Records Administration.

The Organization of American Historians is the principal learned society devoted to the study of the history of the United States. Our membership is approximately 9,000—that is individual members. When institutional members are included, it runs to 12,500. We are professors of history at the Nation's colleges and universities, government historians and others who practice history in the public arena, high school teachers, archivists, manuscript curators, and other citizens devoted to studying the Nation's past.

Various efforts have been made from the mid-1960's to separate the National Archives and Records Service from the General Services Administration, where it has been since the creation of the GSA in 1949. For its 15 years of existence previous to 1949, the National Archives was an independent agency. While the early separation efforts sprang from philosophical considerations, later efforts resulted from severe dangers to the integrity of the records of governmental operations. Although the GSA leadership was obviously political from its beginning, this orientation did not seriously affect NARS until the Nixon administration. After the tides of Watergate began to swirl around Nixon, he made a private arrangement with Arthur Sampson, then GSA chief, to exempt White House records from normal handling by NARS. In making the agreement, Sampson completely bypassed the Archivist of the United States. For the first time a purely political decision affecting Federal records was made without the knowledge of the Archivist. Fortunately, Congress and the Supreme Court abrogated the Nixon-Sampson agreement, but these events highlighted NARS' vulnerability within GSA.

Subsequent to this episode, several other situations developed to indicate that GSA was an unsuitable parent for NARS. In recent years GSA has rarely sought the funding needed by NARS. Rather than promoting adequate appropriations for NARS with the Office of Management and Budget, GSA strove to minimize NARS' requests. Three examples suffice.

One. When the National Historical Publications and Records Commission received its "Records" mandate in December 1974, Congress did not appropriate the extra million dollars authorized to fund and expand responsibilities. Consequently, what small funding there was came from the existing NARS budget. Then repeatedly GSA has failed to see that OMB approve adequate increments for the records program, and its operations continued to gnaw into the NARS budget. With the current slashes in the NARS budget, this situation has produced a genuine crisis.

Two. NARS officials have known for years that the nitrate film stored at Suitland, Md. was likely to ignite spontaneously. Despite requests for sufficient money to remedy this problem, GSA did not secure it. Inevitably, fires have occurred.

Three. Similarly, NARS officials have understood the pressing need for additional archival facilities for acquisitioned records. GSA did nothing to provide proper space. To alleviate immediate pressures, GSA contracted for space in a vacant department store near the National Archives. However inadequate these facilities, NARS used them, having nothing better. When congressional ire developed in the summer of 1979 over film fires at Suitland and the lamentable conditions in the department store, ironically NARS leadership got the brunt of criticism, not GSA, the agency responsible for NARS facilities.

Then in August 1979 the new Administrator of General Services, Rowland G. Freeman III, began sharp attacks on NARS. He thought NARS was unresponsive to citizens' needs and that its leadership was ineffective. He issued edicts, in the interest of economy and efficiency—and in keeping with President Carter's wish to decentralize the Government—for the Archives to disperse holdings to the 11 Federal Archives and Records Centers maintaining regional archives. Under these orders the Archives staff prepared a list of some 300,000 cubic feet of records. Only when alarmed archivists, historians, genealogists, political scientists, and concerned citizens raised stiff objections did Freeman put a moratorium upon his orders to decentralize records.

The basic issue in this episode was that Freeman made professional decisions regarding archives, an area in which he had no experience. He was unwilling to rely on the professional judgment of those qualified to make decisions concerning our documentary past. This episode brought into clear focus the problems generated by the legislation that put NARS under the GSA umbrella in 1949.

Manifestly, NARS does not belong in GSA. It must be granted independence as soon as Congress can pass the necessary legislation. This act should establish an archival agency responsible for the entire life cycle of Federal records. The new archival agency should be independent so it could serve the three branches of Government and not be beholden to an executive agency that could abuse it. Because of the rapid deterioration of the quality of care in preserving and servicing the Government's records, this legislation is of vital importance. The stakes for the historical community, as well as the Government itself, are high, for the essence of our documentary heritage is threatened by the plight of NARS. Concerned citizens must be vigilant to see that an independent archives is created and that it performs in the public interest.

Thank you.

Senator STEVENS. Thank you very much.

I think you are from the West?

Mr. RUNDELL. Originally from Texas. I teach now at the University of Maryland, but my specialty is Western history.

Senator STEVENS. I am interested in your comments concerning the decentralization of records keeping. Do you think this bill would reverse that trend?

Mr. RUNDELL. I certainly do, because if the bill were passed and an independent archival agency were established, certainly you would have professional archivists making the basic decisions and protecting the integrity of records groups. These records groups are generally the files of bureaus and as such have internal integrity. There was a program of decentralizing—Mr. Freeman wanted to break up records groups, sending some to Atlanta, some to Chicago, et cetera. Since there would be no archivist who knew those records going along with the records, their use would be diminished tremendously. We are extremely fortunate that this idea did not come to fruition. Boxes were packed in the National Archives ready to be shipped but never got dispersed.

Senator STEVENS. I am not sure I understand the full impact of the order. Do you believe that scholars from San Francisco ought to be forced to come to Washington in order to research the records pertaining to their own area?

Mr. RUNDELL. If these records were part of the records group that was maintained by the National Archives, this sort of travel is inevitable. In each of the Federal Archives and Records Centers—there are 11 of them around the country that have regional archives branches—there are records that pertain to region; there are judiciary records and other records that are there on a permanent basis. Also in these regional archives in the records centers there are copies of films made from the National Archives and that microfilmed material is the material that is of greatest research value, the things that have the greatest use.

But in cases where the originals are here in the National Archives, I must say that I think the only alternative for a scholar in San Francisco is to come to the National Archives rather than breaking up the records groups and sending them to San Francisco or Fort Worth.

Senator STEVENS. And the documents that pertain to the Statehood for Texas, for instance, you don't believe those should be in a place that people who are concerned about Texas and are going to have daily interest in them should have access to them without coming to Washington?

Mr. RUNDELL. In the State Archives of Texas in Austin, there are many records from the State level, but those that are here in Washington I think should remain in Washington simply because they are in the care of archivists who know the records well and who can perform proper records functions with them.

I think the records generated by the Federal Government are the responsibility of the Federal Government and are best serviced in a central location. Now, if these things are filmed, then people can use them anywhere.

Senator STEVENS. Those areas of our country that were territories had a period of Federal days. If you went to my distinguished friend's State archives, I am sure you will find that Maryland has the archives from the very beginning of their entry into the Union, but as you go to Texas, or California, or Oregon, or Louisiana, or wherever, you will find that substantial portions of the records are right here, meaning their people have to research two different areas in order to know the history of their area, and they are forced to come to Washington.

I cannot agree with you. I think that by attempting a partial decentralization, President Carter's people were trying to respond to a request coming from the States, that not all records of the State or of an area belong to Washington and not everyone should have to come to Washington in order to be able to research the history of their area. And I hope that we don't have to get into that dispute in this bill; that is not the purpose of this bill.

I would be happy to take you to the storage area on the top of the Smithsonian. I walked through there one day to see what kind of storage problem they have and they started opening up bins and drawers of things that no one has looked at since they were brought here; more of the history of my area than we have in any place in the Pacific Northwest or Alaska. Whether it is Indian culture, the artifacts of a region, whatever, everyone that ever went to Alaska brought back a boatfull of them, and it is all there on the top two floors of the Smithsonian where it is not even labeled. And we have a museum for which we have been trying for a long time to find those kinds of items. The same is true regarding the original records of our State. These records are here somewhere in the Archives hardly even recorded yet. They may not be important to the National Government, but they are very important to us. And I find the same complaint even in California, that some of their original records are here and very few people here realize how important they are to the people in California.

I want the people to understand. I see some headshaking out there. You can shake them as much as you want as far as I am concerned. People who want total centralization of records or total centralization of anything in this country are not in accord with my feelings as far as the concepts of what is best for the country from the point of view of your profession or mine.

Mr. RUNDELL. May I make a comment?

Senator STEVENS. Yes, sir.

Mr. RUNDELL. It seems to me that there is a basic difference between the kind of artifacts you have described in the Smithsonian and the records of the operations of the Federal Government, and these things are not segregated so that you have just records of Alaska, and Texas, and Maryland. There is interrelationship between these things and the understanding of the records is enhanced by their physical proximity and by archivists who know what these interrelationships are. The records have certain intellectual and administrative integrity as they exist, and I think it can be very dangerous to break them up, so you can't tell what this relationship is.

These records do reflect the operation of the Federal Government. Of course, Alaska has its own archivist. I well know John Kinney, the Alaska State Archivist who was in Texas before he went to Alaska.

Senator STEVENS. Our accession in terms of policies has originated in Texas.

Senator MATHIAS. It is a possibility that you are a Texan?

Mr. RUNDELL. Yes.

Senator MATHIAS. Can you ever outlive being a Texan?

Mr. RUNDELL. Never.

Senator STEVENS. I do have to go to another committee. I appreciate your coming and I hope you will continue the hearing. I did indicate we would keep the record open for at least 10 days, and there will be questions submitted to you by Senator Mathias.

Senator MATHIAS [presiding]. You have written a good deal on the importance of the Archives and the importance of the independent Archives. In fact, in May of last year you wrote an article titled, "A Case for Independence" in which you said:

> This act should establish an independent archival agency responsible for the entire life cycle of Federal records. GSA has indicated that it might be willing to divest itself of the archival function but retain responsibility for records management. Such separation would be a grave error. Unless one agency has responsibility for Federal records from their creation, there is no guarantee that documents of archival quality, that is, those deserving permanent retention, would be preserved. The new archival agency should be independent so that it could serve the three branches of Government and not be beholden to an executive agency that could abuse it.

Mr. RUNDELL. Yes, sir.

Senator MATHIAS. Now, perhaps it would be useful if you could explain briefly why it is important to keep records management and the archival function in one administrative unit.

Mr. RUNDELL. I think it is very important to have these in tandem, so that the integrity of the records would be guaranteed from their beginning until their disposition or a final retention as records of archival quality. If these functions were separated, I think there could be a good bit of turf protection. If you had a different records management agency from the Archives, I think that there could be some disagreement on the procedures and in the quality in the process of appraising records for retention.

Senator MATHIAS. Just to have that fully on the record, what is the life cycle of a Federal record?

Mr. RUNDELL. From its creation by an agency somewhere until it is either disposed of or retained as a record of archival quality. A very small percentage of the Federal records that are initially created—correspondence, reports, et cetera—ever become part of the National Archives and Record Service, probably 5 percent at the most, and then there are records disposition schedules that will indicate whether the records should ever go out of the originating office, whether they go to a Federal records center to be retained 3, 5, 7 years, and then destroyed. But, these disposition schedules will show when the records are phased out and they actually are destroyed.

Senator MATHIAS. Let's say the Secretary of State is going to make a policy as to the number of professional Foreign Service officers who will be appointed and the number of amateurs that they bring in from private life. And he has correspondence on that subject and he talks to a number of people. There are memorandums of those conversations. Perhaps he talked to the President about how many political favors were promised in the last campaign, how many political debts have to be paid off by sending people to London, Paris, and Rome. Or can we get by with Luxembourg—that kind of thing. That is the conversation.

Who decides whether that correspondence, those memorandums of conversations, go into the Archives?

Mr. RUNDELL. Let me say, I am not a professional archivist and I can't speak authoritatively on the actual particulars, but my assumption would be that everything of the Secretary's office would automatically be covered as part of the permanent record.

Senator MATHIAS. Everything he doesn't take away with him?

Mr. RUNDELL. And he is not supposed to take anything away with him anyway. If I am wrong on that, the archivists here can speak up. Everything from a secretarial level, from the Secretary of State, Commerce, whatever, is automatically by nature of that level destined for permanent retention in the archival system.

When clerks order so many reams of paper, that order does not get retained. The administrative affairs of running the office would not be archival quality.

Senator MATHIAS. Dr. Rhoads didn't register a strong objection.

Mr. RHOADS. He is basically right, especially with the qualification he made at the end.

Senator MATHIAS. By saying that the Archives should be responsible for the entire life cycle, does that mean that you would require additional enforcement authority over Federal records before they leave the Secretary of State's office, for example?

Mr. RUNDELL. This is one of the continuing problems that NARS has had since it doesn't have any police force. Actually, all it can do is to tell various agencies what they are supposed to do, but it doesn't come in with a club and say you got to give us these records immediately. Cooperation between agencies and the Archives is necessary.

Senator MATHIAS. And a lot of the other things. The sense of insecurity of the public servant who generated the papers, whether he wants somebody else reading this correspondence, these memoranda, comes into the picture. Perhaps that same public servant has such a sense of and a dedication to history that he is willing to sacrifice his future privacy for the sake of historical rights. A lot of subjective factors enter into this that can never be controlled by law.

Mr. RUNDELL. Indeed. But when people are elected as public officials or appointed as civil servants, the things that they do in connection with their office are part of the public record regardless of what subjective factors are involved.

Senator MATHIAS. How many historians would you suppose there are in the country?

Mr. RUNDELL. Professional historians or those in the public area or——

Senator MATHIAS. Professional.

Mr. RUNDELL. I would suppose that there are probably altogether 40,000 to 50,000, that is, who are trained at the doctoral level and who teach in colleges, universities, who work for the Government, for State agencies, for business.

Senator MATHIAS. How many of them do you suppose devote—and I am asking you for your off-the-cuff response—how many of those do you suppose are specialists in American history?

Mr. RUNDELL. Half at least. It may be more than half since we are in the United States. I am sure that at least 25,000 of these would be specialists in American history.

Senator MATHIAS. These are really primary customers?

Mr. RUNDELL. Indeed.

Senator MATHIAS. Patrons.

Mr. RUNDELL. Yes, and those who use it most intensively.

Now, if you were going to figure usage, you will find that the genealogists, whom Rabbi Stern will speak for, have a much greater head count. Their use is much more specific and not likely to be as intense. They won't come 2 or 3 weeks to months to do research in the Archives, but they will come in and find the specific information related to their family. Professional geneologists will, of course, use the Archives as regularly as historians. But the interest of historians and genealogists is a very common one and we feel that the two work together very well.

Senator MATHIAS. In your work at the University of Maryland, do you have occasion to use the National Archives?

Mr. RUNDELL. Yes, I do. I have used it for various research projects not immediately related—or not deeply related—to my current work which is a biography of Walter Prescott Webb. Back in 1937 he did a project for the National Park Service. He went down the Rio Grande to see whether the Big Bend area should be made into a national park and wrote a report for the National Park Service and, of course, I then went to the National Park Service's records and found the information related to the work he did there. There was material in the State Archives in Austin and then the material here.

Senator MATHIAS. Do you ever assign students to work at the National Archives?

Mr. RUNDELL. Indeed. I certainly do. I am taking my graduate seminar on historical method on October 27. I have visited most of the State archives in the country and the one in Annapolis is the very best. And I take students to the Library of Congress.

Senator MATHIAS. Let me ask you one last question. What do you think is the greatest threat to the Archives, to the records, to the documents?

Mr. RUNDELL. I think it is the budgetary crisis that we are in. There is simply insufficient money to provide the proper preservation and servicing of these records and I think that is a far greater threat than being under GSA, and my testimony certainly indicates the problems that have arisen and the danger that I see there. Were there sufficient funds to run the Archives properly, I think that GSA's arrangement would be sufficient. But as I pointed out, GSA has not gone to bat for NARS with OMB to get proper funding to run the National Archives and Records Service.

Senator MATHIAS. A word of caution on that. I am not sure even an independent archives would have that.

Mr. RUNDELL. I realize this.

Senator MATHIAS. I wanted your judgment on that. I referred to Rabbi Stern several times.

Rabbi Stern, I see you are here, do you generally agree with the testimony of Mr. Rundell?

Rabbi STERN. Yes.

Senator MATHIAS. Thank you very much, Doctor. We may have some further questions, and we will ask for written response.

[The responses to written questions submitted by Senator Mathias follows:]

RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR MATHIAS

Question 1. Would you estimate the number of historians in the U.S. today? How many of those are students of American History?

Answer. I estimate that there are between 40,000 and 50,000 professional historians in the United States today. This would include all those who teach in colleges, universities, and secondary schools; who work in the public sector; and who earn their living by writing. By professional I mean those with training at the doctoral level or with equivalent experience.

Question 2. Are most affiliated with the Organization of American Historians?

Answer. Since the Organization of American Historians relates only to the history of the United States, most of the professional historians in the country are not members. OAH individual membership is around 9,000, but when institutional members are included, the number is approximately 12,500. Probably one-half of the country's professional historians with training in U.S. history belong to the OAH.

Question 3. What sort of American History have you been specializing in?

Answer. My specialty is the history of the American West, although I have published in other fields of American history, as well.

Question 4. Are you a frequent user of the National Archives? Or have you been in the past. Describe the frequency of use and types of information sought.

Answer. I have been a regular user of holdings in the National Archives since I entered the profession in 1953. Two of my books, "Black Market Money" (1964) and "Military Money" (1980) involved extensive research in original sources now in Record Group 338 (Records of United States Army Commands, 1942-) at the Washington National Records Center in Suitland, Md. For "Early Texas Oil" (1977) I got some excellent photographs from the National Archives. My current research project is a biography of Walter Prescott Webb, an eminent historian from the University of Texas. In 1937 he had a contract with the National Park Service to make a report on whether the Big Bend should become a national park. I researched Webb's National Park Service project in the National Archives. In addition, I have had occasion to use military personnel records in connection with articles I have published in the "Handbook of Texas" and the "South Carolina Historical Magazine."

Question 5. As a user of the Archives, what are the chief benefits and drawbacks of the present National Archives system from a user viewpoint?

Answer. The chief benefit of the National Archives' system of record keeping is that it centralizes the files of U.S. government activities. If a researcher has a topic dealing with some activity of the U.S. government, he can expect to find information related to that subject in the National Archives. Research on such topics often extends from one record group to another. Only by having all such records at hand can a researcher perceive the various dimensions of his topic.

The chief drawback of the present National Archives system is that there are fewer skilled archivists available to aid researchers than a decade ago. The best assistance a researcher can receive is from an archivist who knows the records well. Such archivists know where related materials may be—often in other record groups—and they can save a researcher countless hours. With cutbacks in reference service over the years, the quality of service has inevitably declined.

Question 6. Do you believe the Archivist of the United States should be appointed for a fixed term? How long?

Answer. I think there is merit in the Archivist of the U.S. being appointed for a fixed term. It should be no less than ten and no more than fifteen years.

Question 7. Should the Archivist report to a Board of Regents which would include former Presidents of the United States? Why or why not?

Answer. The idea of a Board of Regents for the National Archives is sound. Such a board should represent those most vitally concerned with preserving the documentary heritage of the United States and could serve as a buffer against undue pressures exerted against the institution. Since members of the board should be eminent citizens, they could serve as advocates for the National Archives outside normal government channels.

I think it would be unwise to appoint former presidents of the United States to such a board because they might have partisan motives to serve. The case of President Nixon illustrates such a danger. He made a special arrangement with Arthur Sampson, Administrator of General Services (his own appointee), to exempt his White House records from normal handling. He did so to prevent his misdeeds while in public office from being discovered. Members of the board should have an active interest in the professional dimensions of record keeping and should not be honorary appointees.

Question 8. To your mind, what is/are the greatest threats to our nation's archives?

Answer. I think the greatest threat to our nation's archives comes from inadequate funds to care for them properly. Not only is there insufficient money for the preservation of records, but there is also insufficient funding to hire archivists to acquisition and process records and to service research requests. This indication of disregard for our documentary past is inconsistent with our democratic heritage, which includes the right of citizens to investigate the activities of their own government.

Question 9. Have you ever had to make a Freedom of Information Act request in order to procure documents from the National Archives? Describe.

Answer. I have never had to make a Freedom of Information Act request to get documents from the National Archives.

Question 10. Dr. Rundell, you have written extensively on the independence issue of the Archives and have supported that concept. In a May, 1980 article entitled "NARS: A Case for Independence," you described the ideal legislation for creating an effective independent Archives.

You said: "This act should establish an independent archival agency responsible for the entire life cycle of federal records. GSA has indicated that it might be willing to divest itself of the archival function, but retain responsibility for records management. Such separation would be a grave error. Unless one agency has responsibility for federal records from their creation, there is no guarantee that documents of archival quality, that is, those deserving permanent retention, would be preserved. The new archival agency should be independent so it could serve the three branches of government and not be beholden to an executive agency that could abuse it."

Why is it so important to keep records management and archival functions together?

Describe the life cycle of a federal records and the point at which the National Archives would come into play.

By saying NARS should be responsible for federal records for their entire life cycle, are you implying that NARS needs additional enforcement authority over federal records while they are still in the hands of federal agencies? What type of control does NARS need that it presently lacks?

Answer. It is important to keep records management and archival functions together because trained archivists are in the best position to know which of the millions of government documents generated annually are worth retaining. If the functions were separated, records managers, who get first crack at the documents, could prescribe the destruction of records of archival quality, and hence such records would never come into the Archives. Similarly, if archivists had responsibility for records management, they could prescribe the retention of records whose ultimate value records managers might not understand. It is important for archivists to have a role in determining how records are originally filed, for this influences their ultimate retrieval once they are in the National Archives. Archivists can suggest to agencies creating records logical classification and arrangement systems and offer other technical assistance that results in quick retrieval of needed information while the records are in the originating office.

The life cycle of a federal record is from the time of its creation in any government office—be it letter, memorandum, report, or whatever—until it is (1) destroyed according to a disposition schedule, (2) sent to a Federal Records Center for intermediate retention and eventual disposition, or (3) retired to the National Archives for permanent retention. Under the present system, the National Archives and Records Service comes into play at the beginning of the life cycle of records. Records managers prepare disposition schedules for the records of most government agencies.

I believe that NARS does need additional enforcement authority over federal records. Under the present system, NARS has only advisory powers about records. It cannot, e.g., go into the Department of the Interior and prescribe how Interior will handle its records. It depends on each government agency availing itself of professional advice from NARS and retiring its records accordingly. NARS has no police function, so many agencies do not cooperate as they should. Ideally, National Archives personnel should be able to prescribe, in cooperation with agencies, the disposition schedules for their records. What NARS needs is inspection authority to see that each agency handles its records in the manner prescribed by disposition schedules.

Question 11. How would you describe morale among NARS employees with whom you are familiar?

Answer. I have been closely associated with NARS employees since 1965, and their morale is currently lower than I have ever seen it.

Question 12. When did the Organization of American Historians first take a position in favor of an independent Archives?

Answer. The Organization of American Historians first favored independence of the National Archives and Records Service in 1967.

Question 13. If NARS were independent of GSA, wouldn't it be more vulnerable to budget cuts?

Answer. If NARS were independent of GSA, its vulnerability to budget cuts is conjectural. During the first fifteen years of the National Archives, 1934–49 (before it came under the wing of GSA), it fared reasonably well from the budgetary standpoint, according to Donald R. McCoy, "The National Archives" (1978). An independent National Archives could make its budgetary needs better known to the Office of Management and Budget than has the GSA. Archives leadership has repeatedly made budgetary requests that GSA never transmitted to OMB, since it had many other components (all very different from NARS) to consider. It's hard to see how an independent NARS could be more vulnerable to budget cuts than it has been under GSA. We would have to hope that the leadership of an independent National Archives and Records Administration could present its case effectively to OMB and Congress and receive the funding it needs to care for the nation's records properly. Such care is an accurate measure of any nation's degree of democratic commitment, administrative sophistication, and enlightened self-interest.

Senator MATHIAS. The subcommittee will stand in recess subject to the call of the Chair, and the call of the Chair will be in 5 minutes.

[Whereupon, a short recess was taken.]

Senator MATHIAS. The committee will come to order.

The next witness will be Rabbi Malcolm H. Stern representing the National Genealogical Society. Rabbi Stern, I believe you are located in New York City.

TESTIMONY OF RABBI MALCOLM H. STERN, REPRESENTING THE NATIONAL GENEALOGICAL SOCIETY, NEW YORK, N.Y.

Rabbi STERN. Thank you very much for inviting me here to represent the genealogical community, not just the National Genealogical Society. I retired a year ago as the director of rabbinic placement for reform Judaism around the world, and I am devoting much of my energy and time to serving genealogy and genealogists. I am a member of the Advisory Council of the National Archives and I apologize for not having my formal statement here but it is being retyped to include some updated statistics that will be presented for your benefit.

Senator MATHIAS. Senator Stevens, before I assumed the chair, directed that the record will remain open for 10 days. If you could get it to us within 10 days, it will be included in the record.

Rabbi STERN. As I indicated, I am a member of the Advisory Council of the National Archives. I was put there on the nomination of the National Genealogical Society of which I am proud to be a Fellow. A number of its officers are here in the audience today.

I am also a Fellow of the American Society of Genealogists which is the limited group who are selected for the quality and excellence of their published work in the field. I am an officer of a number of other genealogical organizations.

Speaking for the genealogical users of the Archives, and these are the statistics that have just come to me, they are the fastest growing group over the recent years, probably since the Bicentennial and "Roots" generated tremendous interest in people searching their own families. The Archives is servicing researchers to the total of 194,000 plus; 171,000, or 88 percent of the users of the Archives are genealogical researchers. In written replies to those that come in or short oral replies by phone, 75 percent of the 557,000 requests that came to the Archives in 1981 so far have come from genealogists. There are interlibrary loan of films and other audiovisual material from the Archives; 395,000 were circulated this year on interlibrary loan, 99 percent of those go to genealogists.

The material in the Archives used by genealogists include primarily the census records. The indexes to those are in print from 1790 to 1850 and relatively available around the country; but since 1850 they are not, except where people have purchased the films—some societies have purchased the film but most users use the Archives for the census. They also use it for military records which include some service records in past wars of the United States, vital records of military personnel, birth, marriages and deaths, pension records, et cetera. Ship passenger lists have been indexed and are on film at the National Archives here in Washington. Land records and some immigration records are in regional branches and alien registration records. In fact, any record that deals with an individual who might possibly be someone's ancestor is sought in the National Archives and its branches.

I have indicated there has been a tremendous growth in the use of the Archives, demand on the Archives. That interlibrary loan of census film, for example, grew from 1974's 10,500 requests to nearly 400,000 requests in 1981. It will probably pass 400,000 by the end of this year.

Let me say that there is great enthusiasm for this bill among the genealogical community, and I am authorized by a number of my genealogical correspondents to express my gratitude to you and Senator Eagleton for introducing the bill.

I created a national coordinating committee of the leading genealogical societies in order to provide a channel of communication, and we did that a couple of years ago. It has grown and proliferated so that we can reach what is estimated to be 20 million people who are interested in searching their roots—a considerable segment of the population.

The demand on the Archives itself has grown, as I have seen from my incumbency on the Advisory Council since 1977, not only from the genealogical community but things like the court orders on the Nixon papers and evaluating the FBI papers and there has been no increase in budget for the Archives to do these things, but increase in demand on their staff.

The relationship of NARS to GSA has affected genealogy a bit, has affected the Archives more strongly. GSA has a tendency to talk in terms of customers and cost-effectiveness. The Archives for years has been running a series of institutes and courses for genealogists. This year's institute was almost canceled because it wasn't considered cost-effective. Our genealogical community consists primarily of amateurs who are serious enough to take courses; they take courses at the National Archives now, courses that are modeled on those given by the Archives; they attend conventions in ever larger numbers. Eleven thousand attended a conference sponsored by the Mormons in Salt Lake City, not exclusively Mormons in attendance. Last year the National Genealogical Society in cooperation with the States began a program of conferences. This year in May in Atlanta 600 people turned up. The one now planned for Indianapolis next year is anticipated to enroll about 1,000 people, and similar conferences are going on all over the country.

NARS set an example for this and did a remarkable job of creating the climate for knowledge of genealogy.

As pointed out by previous speakers, GSA understands NARS' records management function as a warehouse storage place, but does not seem to have really the comprehension of its intellectual function and its research functions.

I like to consider the Archives as a great national university; it is not only absorbing and retaining knowledge, but it is giving it out not only in courses but in the material that it provides historians, researchers, and authors. Many, many books have been published as a result of the Archives. In its museum aspect, in the Presidential libraries and at the main Archives here in Washington, it is a showcase of our Nation, its treasures and its history, to people around the world. International scholars come and observe the Archives, use it, and it is an important adjunct to the PR of our Nation.

Senator MATHIAS. As a university it needs a faculty.

Rabbi STERN. Definitely.

Senator MATHIAS. Academically trained faculty.

Rabbi STERN. It has. Many of the Archives' administrative staff are highly trained specialists in their field and the Archivist himself is part of a great international body of archivists, attends international meetings. There are teaching courses going on at the Archives all the time. The Archives publishes a very handsome calendar of activities. It is a challenging calendar, an educational calendar, by the illustrations it uses of materials in the Archives and the descriptions it gives of those materials.

The subservience to GSA has had a serious effect on the morale of some of these highly trained specialists who are part of the Archives' staff because they feel that their interests and their needs are not understood or properly comprehended by the GSA Administrator; it has been an impediment to engaging needed personnel for the Archives.

I was part of the Committee for the Qualification of Candidates in the selection of the present Archivist, a committee that was administered by Mr. Kline who was here from GSA this morning. We came up with a number of candidates and it was brought back to us that some declined consideration because they did not have independence in the Office of Archivist. And let me add parenthetically that all of us who work with him feel that we were very fortunate in coming up with a man of Dr. Warner's caliber in the choice of the Archivist.

We heard the report on the GSA administrators who are the people who deal most directly with NARS. I, in my time since 1977 on the Archives Advisory Council, have been in a position to observe from the sidelines three—the first one, while not implicated, was certainly involved in the internal scandals of GSA; the second, Admiral Freeman's swashbuckling enterprises, we heard something about before; and the incumbent whom I have not met but I have checked his record. He was an auto parts distributor in Manchester, N.H., when he was selected for the position of the Administrator, which makes him admirably qualified for GSA's work but certainly not one who would have real sympathetic understanding or comprehension of the research goals and intellectual goals of NARS.

So, it is my considered opinion that the two services are incompatible in their goals and that is why the genealogical community appreciates this bill. We are awaiting word that the bill may come out on the Senate floor and I assure you genealogical newsletters all over the country will generate support for it.

The genealogical community is not what most people conceive of today. The genealogical community is not composed exclusively of people whose roots are that long in America; they are no longer exclusively the Mayflower descendants and the Sons and Daughters of the Revolution, et cetera. These may be third, second, even first generation Americans but by their very nature they are interested in their roots. They are loyal and patriotic American people, and they are an interest group like many interest groups, concerned with what is going to be best for their interests. They are deeply concerned, of course, about the budget cuts. They are in touch with the National Archives. The National Archives is an alma mater to them; they use it, they love it, they cherish it, they apply to it constantly. GSA, they don't know anything about. To them it is big government and they have little sympathy for it.

The genealogical community is sufficiently stirred up about the budget cuts that it is willing perhaps to do something with its pocketbook as well as with its mouth. They indicated at our May convention a desire to help the Archives financially in the creation of some items that would be useful, serviceable to genealogy that the Archives would not be in a budgetary position to publish.

The difficulties that are in the way of our doing it as genealogists seem to be that within NARS, because NARS is not independent in its policies, it would have to go through too much redtape and that could be a stumbling block.

The view of the Reagan budget is not a very happy one, genealogically speaking, because we realize that the Archives is going to be curtailed in its services. We would like to be helpful. We want to be helpful and we believe that the independence of NARS would aid us to be helpful to NARS.

Senator MATHIAS. I think one of the things you say is very true, the interest in genealogical research has become pretty widespread today. I suspect this will be increasingly true in the years ahead. We have witnessed extraordinary migrations of human beings in numbers that are just unprecedented. I am not just thinking of the great migrations from Europe to America in the late 19th Century and the early 20th Century, although that was impressive in terms of numbers of human beings who pulled up their roots and moved, but within the United States, it is a mobile society.

Rabbi STERN. Very much so.

Senator MATHIAS. And I had a great friend who was a newspaperman in Baltimore named Gerald Thompson who wrote very movingly of the migration of the southern agricultural workers in the United States from the farms and plantations of the South to the cities of the North, perhaps to the number of 20 million, maybe 25 million, in the course of relatively few years, and these are people who, having abandoned their native areas, the areas in which they and their grandparents lived, may someday want to pick up that lost strand and won't be able to do it unless the facilities, records are available.

The American people are highly mobile. The estimate that I have had from time to time is that one family in five moves every year. In other words, 20 percent of the population is in motion every year. This again complicates for them the problem of keeping in touch with their antecedents and this seems to be a very human urge to want to do that.

Rabbi STERN. Every ethnic group in the country is now involved in roots digging, and the need to preserve records and publish records is very strong.

Senator MATHIAS. In the effort to learn a little bit more about this problem and to acquaint myself with the institution of the Archives, I undertook a little research of that kind myself earlier this year and came away with my certified card as a user of the Archives, so I can understand exactly what you are saying.

Do you think the Archivist should be appointed for a fixed term? I am sure with your own academic training you have had a lot of experience with academic institutions and if we were to think of the Archives as an academic type institution with a faculty to be presided over by an academician, what term of office would you give the Archivist?

Rabbi STERN. My own training is not academic. I have to disabuse you on that. But I have had great deal of——

Senator MATHIAS. I don't think I am wrong. I am saying that you have been subjected to a long and arduous period of study.

Rabbi STERN. I have not done academic administration.

Senator MATHIAS. I didn't mean you had gone into teaching or academia in that sense.

Rabbi STERN. But I have had major responsibility for work of rabbis with congregations, and their tenure with congregations and with our group is up to the individual congregation. Tenure has usually been the result of performance; length of tenure has been measured by performance rather than by any fixed years of service.

Certainly there would need to be both from the Citizens Advisory Council and possibly from others in Government some evaluation of the work of the Archivist if the Archives became an independent agency. But I think that to put a specific limit on something that is as ongoing as the Archives and the need for the Archivist to invoke judgment—I think the judgment of what he is doing on his job will grow with his experience and the more experience he has in it the more valuable he may be to the job.

Senator MATHIAS. Your response evokes a memory. We had in Maryland a law on the books which was the vestigial remains of the establishment of the Church of England. This was an act of the General Assembly of Maryland known as the Vestry Act. At the time of the Revolution the Church of England's properties were left adrift in the legal sense. They were incorporated by a special act of the legislature, which I think was enacted by 1785.

And one of the provisions of the Vestry Act, I suppose reflecting the dissatisfaction with the Anglican clergy before the Revolution, was that Episcopal priests would only have a term of 1 year as director of a parish. And that tenure might be reviewed by the vestry at the end of 1 year.

There has been considerable agitation for many years to revise that law. They think the Revolution is over long enough now.

But that, of course, is a principle which could apply to the Archivist as well. Whether you want a totally open-ended term is another question.

Maybe it could be a long term such as the Director of the FBI, for example. But it if is too long, why, then, you raise the question of superannuation.

Rabbi STERN. I think government provides for retirement after so many years in service.

Senator MATHIAS. Yes; but those who have the opportunity to take advantage of those benefits don't always have the wisdom to do so at the right moment.

Rabbi STERN. That is true.

Senator MATHIAS. We will look forward to receiving your written statement.

Rabbi STERN. Yes, sir.

Senator MATHIAS. If you have any additional thoughts as a result of our discussion that you would like to add, we would appreciate having them.

[The prepared statement of Rabbi Stern follows:]

PREPARED STATEMENT OF RABBI MALCOLM H. STERN

CREDENTIALS OF RABBI STERN

(Former Director of Rabbinical Placement, Reform Judaism)

1. Retired in June 1980 to serve genealogy and genealogists.
2. Genealogical representative, NARS Advisory Council, 1977 to date.
3. Created national Genealogical Coordinating Committee with representation from all major genealogical national genealogical organizations to create a channel of communication to genealogists, amateur and professional, throughout the country (estimated number: 20 million).
4. Fellow and Past President, American Society of Genealogists (a group of 50 elected people chosen for the quality of their scientific publication).
5. Fellow of the National Genealogical Society.
6. Officer or Executive Council member of other national genealogical societies.

NATURE OF GENEALOGICAL USERS OF NARS

1. Majority are amateurs, inspired by the Bicentennial and/or "Roots" to trace their families. Most are serious researchers spending money to join local and regional societies, take courses, and attend conferences, such as 11,000 who attended the Mormon-sponsored conference in Salt Lake City in Aug. 1980; 600 attended the 1981 National Genealogical Society Conference in Atlanta in May 1981; 1,000 are expected in Indianapolis in May 1982 plus other state and local conferences.
2. A smaller group do genealogy professionally (i.e. research for others). The majority of these are certified by one of several national bodies and must abide by a strict code of ethics.

3. Nationally, 88 percent of visitors to NARS are genealogists; a higher percentage at NARS regional branches. (171,000 out of 194,761) 1/1/81–10/1/81

4. 75 percent reference questions reaching NARS are genealogical. (414,966 out of 557,240)

TYPES OF RECORDS USED BY GENEALOGISTS AT NARS

1. U.S. Census. From 1790 to 1850 most are now in print and available locally. Heaviest usage is 1860–1900. The 1900 census is indexed and available almost only at NARS and its branches.
2. Military records: service records; births, marriages, and deaths on military bases; pensions.
3. Ship passenger lists at major ports (many of them indexed and exclusively at NARS).
4. Indian records.
5. Land records.
6. Some naturalization records, alien registrations, etc.

GROWTH OF USERS HAS BEEN TREMENDOUS

1. Example: requests for interlibrary loan of census films grew from 10,500 in 1974 to an estimated 400,000 in 1981. To expedite, all loans are now channelled through Fort Worth branch and the demand is so great that there are long waiting-lists despite on-going duplication of film by NARS.

2. 1910 census, to become available under the law in 1982, is eagerly awaited. NARS may not be able to continue its interlibrary service. Genealogical users are aware of what budget cuts may mean and are upset enough to be talking about taking matters into their own hands.

RELATIONSHIP OF GSA AND NARS

NOTE: Genealogists are enthusiastic about NARS independence bill S. 1421, and a letter-writing campaign to you and your colleagues is already in progress. Genealogical newsletters across the country have been alerted, and they are awaiting word that the bill is to be brought to the floor so they can urge its passage.

1. GSA has only a limited comprehension of the function of NARS. It looks upon NARS as a storage warehouse. In reality, NARS is like a great national university, storing knowledge, but also making it available to the public—both to individuals and through classes. NARS provides scholars and authors with basic source material. NARS, through its museum aspects and Presidential libraries, develops patriotism. It is America's top national intellectual showcase to other nations, whose scholars make frequent use of it.

2. GSA is headed by a political appointee. I have dealt with three Administrators since coming onto NARS Advisory Council. The first was involved with, if not implicated in, GSA's internal scandal. The second almost destroyed the Archives with his proposal to scatter its resources, until genealogists and other users of NARS deluged Congress with protests. The incumbent, whom I have not met personally, was a successful car parts merchant in New Hampshire, which may make him admirable for the work of GSA, but hardly qualified to evaluate and understand the scholarly aspects of NARS and its program.

3. GSA ranks budget by quantity of service, not quality. They speak of "customers" and "cost effectiveness"—neither of which can be applied to researchers or preservation of historic treasures. One example with which I am familiar: Since 1951, NARS has conducted a series of courses in genealogy and the use of the Archives, notably a Summer Institute, originally 3-week; more recently 2-week. They have educated some of the country's leading genealogists. As with any university, enrollees pay a fee and spend a great deal to come to Washington, but it has been difficult for NARS to break even on the costs. GSA almost cancelled the 1981 Institute for economic reasons, but the Archivist recognized its value and insisted on holding it.

INCREASING ROLE OF NARS

1. Not only the number of NARS users has increased. The work load has increased with the proliferation of government agencies and the necessity for evaluating and storing their archives. The multiplication of Presidential libraries adds to NARS responsibilities. Court orders increase its burdens; e.g. the fight over the Nixon papers, and the court ordered evaluation of the FBI files.

SUMMARY

1. GSA can understand NARS' custodial, record-keeping functions, even its needs to increase budget for preservation of our nation's artifacts and papers, but it has little sympathy for our understanding of its intellectual and scholarly functions. Basically NARS and GSA are incompatible.

VIRTUES OF INDEPENDENCE

1. It provides NARS administration with direct access to the decision makers—Congress and other legislators—where its story can be told and needs understood.
2. Independence will improve the morale of NARS high quality professional administrative staff, most of whom have graduate degrees and specialized expertise, which they now feel is little appreciated by GSA administration.
3. Independence would encourage qualified experts to apply for positions at NARS, some of which are currently vacant. Example: I served on the Committee to Qualify Candidates for the position of Archivist of the United States, and I am aware that several of the outstanding people approached for the position rejected consideration because NARS was not independent. (We were fortunate in securing as Archivist a man with the scholarship and competence of Robert Warner.)
4. Independence would allow NARS to determine to a greater extent policies with relationship to users that would benefit both NARS and the users. Example: A proposal from the genealogical community to raise funds for publication of finding aids ran into NARS-GSA red tape which remains to be unravelled.

GENEALOGISTS AS POLITICAL ACTIVISTS

1. The genealogical community—which, as I have said, may constitute 20 million Americans—is becoming aware of its strength. Like any interest group they are eager to further whatever may be useful to them. By their very nature as people interested in their past, they are loyal and patriotic Americans, who can be challenged and guided to do what is best for the country. It is their sincere belief—as expressed in the growing numbers of letters to you and your colleagues, and in the newsletters and correspondence reaching me—that the independence of NARS from GSA is in the best interest of all parties concerned.

Senator MATHIAS. I want to thank everyone who has taken the time to attend these hearings. They are important hearings.

We lost in the world a great statesman during the past week, Moshe Dayan. It is interesting that as I see his life, his passion for history and for archeology may have been one of the components of his wisdom as a contemporary statesman. The fact that he recognized the value of history, that he actually liked to take the shovel and dig for the evidence of the past and to feel it in his hands and to get a sense of what the record of mankind was, what the experience of human beings was, certainly had some impact on the farsighted way in which he approached the problems of the Middle East.

He knew that he was dealing with one of the oldest centers of civilization in history and he must have been in his mind projecting what he knew of the past into the future as he evolved his political positions through the years.

And it is a good lesson for all of us as to the practical value of history. This is not some hobby that people take up in their old age. It is not something that people can think about in their idle hours. It is a very practical and useful area of research for the world, and I think if we put historical research and therefore historical records into that perspective, we should be able to gain more support than we have generated in the past.

Thank you all for being here.

The committee will stand adjourned.

[Whereupon, at 11:40 a.m., the subcommittee recessed, to reconvene subject to the call of the Chair.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

97TH CONGRESS
1ST SESSION

S. 1421

Entitled the "National Archives and Records Administration Act of 1981".

IN THE SENATE OF THE UNITED STATES

JUNE 24 (legislative day, JUNE 1), 1981

Mr. EAGLETON (for himself and Mr. MATHIAS) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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A BILL

Entitled the "National Archives and Records Administration Act of 1981".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Archives and Records Administration Act of 1981".

AMENDMENTS TO TITLE 44, UNITED STATES CODE

SEC. 2. (a) Sections 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, and 2114 of title 44, United States Code, are redesignated as sections 2102, 2103, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, and 2119, respectively.

(b) Title 44, United States Code, is amended by inserting before section 2102 (as redesignated by subsection (a)) the following new section:

"§ 2101. Purpose

"The purpose of this chapter is to establish an independent National Archives and Records Administration due to the unique importance of the tasks of creating, identifying, and preserving the records of the Nation which have permanent value and making such records available to the public, to Federal agencies, and to the Congress for historical and other research purposes.".

(c) Section 2102 of title 44, United States Code (as redesignated by subsection (a)), is amended—

(1) by striking out "sections 2103–2113 of";

(2) by striking out the period at the end thereof and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following new paragraphs:

" 'executive agency' means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation;

" 'Federal agency' means any executive department, military department, Government corporation, Government-controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency;

"'Archivist' means the Archivist of the United States appointed under section 2104; and

"'Administration' means the National Archives and Records Administration established under section 2103.".

(d) Section 2103 of such title is amended to read as follows:

"§ 2103. Establishment

"There is established an independent establishment in the executive branch of the Government to be known as the National Archives and Records Administration. The Administration shall be administered under the supervision and direction of the Archivist.".

(e) Title 44, United States Code, is further amended by inserting before section 2108 (as redesignated by subsection (a)) the following new sections:

"§ 2104. Officers

"(a) The Administration shall be headed by the Archivist of the United States, who shall be appointed by the President by and with the advice and consent of the Senate. The Archivist shall be appointed for a term of ten years, but may continue to serve until his successor is appointed and confirmed. The Archivist shall be appointed without regard to political affiliations and solely on the basis of the professional qualifications required to perform the duties and responsibilities of the office of Archivist.

"(b) The Archivist shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5.

"(c) There shall be in the Administration a Deputy Archivist of the United States, who shall be appointed by and who shall serve at the pleasure of the Archivist. The Deputy Archivist shall be established as a career reserved position in the Senior Executive Service within the meaning of section 3132(a)(8) of title 5. The Deputy Archivist shall perform such functions as the Archivist shall designate. During any absence or disability of the Archivist, the Deputy Archivist shall act as Archivist. In the event of a vacancy in the office of the Archivist, the Deputy Archivist shall act as Archivist until an Archivist is appointed under subsection (a).

"§ 2105. Administrative provisions

"(a) The Archivist shall prescribe such policies, standards, criteria, procedures, rules, and regulations as he finds necessary or appropriate to carry out his functions. The head of each Federal agency shall issue such orders and directives as may be necessary to conform the activities of the agency with the policies, standards, criteria, procedures, rules, and regulations prescribed by the Archivist.

"(b) Except as otherwise expressly provided by law, the Archivist may delegate any of his functions to such officers and employees of the Administration as he may designate, and may authorize such successive redelegations of such functions as he may deem to be necessary or appropriate. A delegation of functions by the Archivist shall not relieve the Archivist of responsibility for the administration of such functions.

"(c) The Archivist may organize the Service as he finds necessary or appropriate.

"(d) The Archivist is authorized to establish, maintain, alter, or discontinue such State, regional, district, local, or other field offices as he finds necessary or appropriate to perform the functions of the Archivist or the Administration.

"(e) The Archivist shall cause a seal of office to be made for the Administration of such design as he shall approve. Judicial notice shall be taken of such seal.

"(f) Each Federal agency is authorized to furnish to the Archivist, upon his request, any information or other data which the Archivist finds necessary to carry out his duties.

"(g) The Archivist may establish advisory committees to advise him with respect to any function of the Archivist or the Administration. Members of any such committee shall serve without compensation but shall be entitled to transportation expenses and per diem in lieu of subsistence in accordance with section 5703 of title 5.

"(h) The Archivist shall advise and consult with interested Federal agencies with a view to obtaining their advice and assistance in carrying out the purposes of this chapter.

"(i) If authorized by the Archivist, officers and employees of the National Archives and Records Administration having investigatory functions are empowered, while engaged in the performance of their duties in conducting investigations, to administer oaths.

"§2106. Personnel and services

"(a) The Archivist is authorized to select, appoint, employ, and fix the compensation of such officers and employees, pursuant to part III of title 5 as are necessary to perform the functions of the Archivist and the Administration.

"(b) The Archivist is authorized to obtain the services of experts and consultants under section 3109 of title 5.

"(c) Notwithstanding the provisions of section 973 of title 10 or any other provision of law, the Archivist, in carrying out the functions of the Archivist or the Administration, is authorized to utilize in the Administration the services of officials, officers, and other personnel in other executive agencies, including personnel of the armed services, with the consent of the head of the agency concerned.

"§ 2107. Reports to Congress

"The Archivist shall submit to the Congress, in January of each year and at such other times as he finds appropriate, a report concerning the administration of functions of the Archivist and the Administration. The report shall include such recommendations for legislation as he may find appropriate as the result of the administration of such functions and a citation of any law which has become obsolete by reason of the enactment or administration of the provisions of this title.".

(f)(1) The table of sections for chapter 21 of title 44, United States Code, is amended to read as follows:

"CHAPTER 21—NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Sec.
"2101. Purpose.
"2102. Definitions.
"2103. Establishment.
"2104. Officers.
"2105. Administrative provisions.
"2106. Personnel and services.
"2107. Reports to Congress.
"2108. Acceptance of records for historical preservation.
"2109. Responsibility for custody, use, and withdrawal of records.
"2110. Preservation, arrangement, duplication, exhibition of records.
"2111. Servicing records.
"2112. Material accepted for deposit.
"2113. Presidential archival depository.
"2114. Depository for agreements between States.
"2115. Preservation of motion-picture films, still pictures, and sound recordings.
"2116. Reports; correction of violations.
"2117. Legal status of reproductions; official seal, fees for copies and reproductions.
"2118. Limitation on liability.
"2119. Records of Congress.".

(2) The item relating to chapter 21 in the table of chapters for title 44, United States Code, is amended to read as follows:

"21. National Archives and Records Administration .... 2102.".

(g)(1) Section 2103(4) of such title is amended by striking out "section 2107" and inserting in lieu thereof "section 2112".

(2) Section 2108 of such title is amended by striking out "section 2107" each place it appears and inserting in lieu thereof "section 2112".

(h) Chapters 7, 15, 17, 21 (as amended by this section), 22, 23, 25, 29, 31, and 33 of title 44, United States Code, are amended by striking out "Administrator of General Services" and "General Services Administration" wherever they appear and inserting in lieu thereof "Archivist of the United States" and "National Archives and Records Administration", respectively.

(i)(1) Section 101 of the Presidential Recordings and Materials Preservation Act is amended—

(A) by striking out "section 2107" each place it appears and inserting in lieu thereof "section 2112";

(B) by striking out "section 2102" and inserting in lieu thereof "section 2103";

(C) by striking out "Administrator of General Services" and inserting in lieu thereof "Archivist of the United States"; and

(D) by striking out "Administrator" each place it appears and inserting in lieu thereof "Archivist".

(2) Section 102 of such Act is amended—

(A) by striking out "section 2107" and inserting in lieu thereof "section 2112", and

(B) by striking out "Administrator" each place it appears and inserting in lieu thereof "Archivist".

(3) Section 103 of such Act is amended by striking out "Administrator" and inserting in lieu thereof "Archivist".

(4) Section 104 of such Act is amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Archivist".

(j) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following:

"( ) Archivist of the United States.".

DEFINITIONS

SEC. 3. For purposes of sections 3 through 8—

(1) the term "Archivist" means the Archivist of the United States appointed under section 2104 of title 44, United States Code, as added by section 2 of this Act; and

(2) the term "Administration" means the National Archives and Records Administration established under section 2103 of such title (as amended by section 2 of this Act).

TRANSFER OF FUNCTIONS

SEC. 4. (a) All functions of the Administrator of the General Services being administered through the individual holding the office of Archivist of the United States on the day before the effective date of this Act are transferred to the Archivist of the United States appointed under section 2104 of title 44, United States Code.

(b) The National Archives and Records Service of the General Services Administration is transferred to the National Archives and Records Administration.

(c) In the exercise of the functions transferred under this Act, the Archivist shall have the same authority as had the Administrator of General Services, the individual holding the office of Archivist of the United States on the day before the effective date of this Act, or the National Archives and Records Service of the General Services Administration or any part thereof immediately preceding the transfer of such functions, and the actions of the Archivist in exercising such functions shall have the same force and effect as when exercised by such Administrator, individual, or Administration or part thereof.

(d) Prior to the appointment and confirmation of an individual to serve as Archivist of the United States under section 2104 of title 44, United States Code, the individual holding the office of Archivist of the United States on the day before the effective date of this Act may serve as Archivist under such section, and while so serving shall be compensated at the rate provided under subsection (b) of such section.

TRANSFER OF PERSONNEL

SEC. 5. (a) Except as otherwise provided in this Act, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to or to be made available in connection with the functions and agencies transferred by this Act, subject to section 202 of the Budget and Accounting Procedures Act of 1950, are transferred to the Archivist for appropriate allocation. Unexpended funds transferred pursuant to this subsection shall be used only for the purposes for which the funds were originally authorized and appropriated.

(b) The transfer pursuant to this title of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employees to be separated or reduced in grade or compensation for one year after such transfer or after the effective date of this Act, whichever is later.

SAVINGS PROVISIONS

SEC. 6. (a) All orders, determinations, rules, regulations, grants, contracts, agreements, permits, licenses, privileges, and other actions which have been issued, granted, made, undertaken, or entered into in the performance of any function transferred under this Act shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by any authorized official, a court of competent jurisdiction, or by operation of law.

(b)(1) The transfer of functions under this Act shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending on the effective date of this Act before the General Services Administration; but such proceedings and applications, to the extent that they relate to functions transferred under this Act, shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Archivist, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(2) The Archivist is authorized to promulgate regulations providing for the orderly transfer of proceedings continued under paragraph (1) from the General Services Administration to the Administration.

(c) Except as provided in subsection (e)—

(1) the provisions of this Act shall not affect actions commenced prior to the effective date of this Act, and

(2) in all such actions, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this Act had not been enacted.

(d) No action or other proceeding lawfully commenced by or against any officer of the United States acting in his official capacity shall abate by reason of any transfer under this Act. No cause of action by or against the General Services Administration or by or against any officer thereof in the official capacity of such officer shall abate by reason of any transfer of functions under this Act.

(e) If, before the date on which this Act takes effect, the General Services Administration or any officer thereof in the official capacity of such officer, is a party to an action, and under this Act any function in connection with such action is transferred to the Archivist or any other official of the Administration, then such action shall be continued with the Archivist or other appropriate official of the Administration substituted or added as a party.

(f) Orders and actions of the Archivist in the exercise of functions transferred under this Act shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the individual holding the office of Archivist of the United States on the day before the effective date of this Act or the Administrator of General Services in the exercise of such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this Act shall apply to the exercise of such function by the Archivist.

REFERENCE

SEC. 7. With respect to any functions transferred by this Act and exercised after the effective date of this Act, reference in any other Federal law to the office of the Archivist of the United States as in existence on the day before the effective date of this Act or the National Archives and Records Service of the General Services Administration or any office or officer thereof shall be deemed to refer to the Archivist or the Administration.

EFFECTIVE DATE

SEC. 8. The provisions of this Act shall take effect sixty days after enactment.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

NOV 18 1981

Honorable William V. Roth, Jr.
Chairman
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This is in response to your request for the views of the Office of Management and Budget on S. 1421, a bill to establish an independent National Archives.

For the reasons given by the General Services Administration in its testimony of October 20, 1981, before the Subcommittee on Civil Service, Post Office, and General Services, the Office of Management and Budget opposes S. 1421.

Sincerely,

(Signed) James M. Frey

James M. Frey
Assistant Director for
Legislative Reference

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS
WASHINGTON, D.C. 20544

WILLIAM E. FOLEY
DIRECTOR

JOSEPH F. SPANIOL, JR.
DEPUTY DIRECTOR

July 24, 1981

AUG 06 REC'D

Honorable William V. Roth, Jr.
Chairman, Committee on Governmental
  Affairs
United States Senate
3302 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman:

In reviewing S. 1421, the National Archives and Records Administration Act of 1981, I note that the definition contained therein of a "Federal agency" means any executive department, military department, Government corporation, Government-controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency. This definition excludes the Administrative Office of the United States Courts and the Federal Judiciary. Therefore, if this bill is adopted as written, it would be detrimental to the preservation of the judiciary's records.

If the National Archives no longer permitted the judiciary to store its records at the Federal Archives and Records Centers, we would have to build and staff separate storage facilities. The cost in resources - capital outlay, time, and personnel - to acquire staff and operate a nationwide system of records centers would be tremendous. Building duplicate facilities, when the National Archives already operates two national records centers and ten regional Federal Archives and Records Centers throughout the country, would be a waste of taxpayers' money. According to a historian quoted in the Final Report of the National Study Commission on Records and Documents of Federal Officials (March 31, 1977), "the most common and valuable single category of records in the Federal Records Centers is the records of the inferior Federal Courts." There would be no benefit to the general public by taking these records out of an existing National Archives building and putting them into a new judiciary building. The record holdings of the National Archives would decrease in value and the record holdings of the judiciary would become an additional administrative expense.

I am requesting that the definition of "Federal agency" be changed to be consistent with the definition contained in the Federal Records Management Amendments of 1976 at 44 U.S.C. §2901-13 which states that:

> As used in this chapter, and chapter 21, 25, 27, 31, and 33 of this title—
>
> (13) The terms 'executive agency' and 'Federal agency' shall have the meaning given such terms by subsections (a) and (b), respectively, of section 3 of the Federal Property and Administrative Services Act of 1949. (40 U.S.C. 472 (a) and (b)).
>
> The definitions given in 40 U.S.C. §472 state:
>
> (a) The term 'executive agency' means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation.
>
> (b) The term 'Federal agency' means any executive agency or any establishment in the legislative or judicial branch of the Government (except the Senate, the House of Representatives and the Architect of the Capitol and any activities under his direction).

For several years, the National Archives has provided the Federal Judiciary with records storage and retrieval services, assistance in scheduling records for disposition, and accessioning records of archival value. Your favorable consideration of this request will ensure that the National Archives continues to provide the Federal Judiciary with these needed services.

Sincerely,

William E. Foley
Director

cc: Legislative Affairs Office

WILLIAM F. HILDENBRAND
SECRETARY

United States Senate
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20510

October 28, 1981

Honorable Ted Stevens
Chairman
Subcommittee on Civil Service,
  Post Office, and General Services
57 Capitol Hill Annex
Washington, D. C. 20510

Dear Mr. Chairman:

This is in response to your request of October 16, 1981 for my comments, as custodian of the Senate's official records at the National Archives, on the desirability of establishing a National Archives and Records Administration independent of the General Services Administration.

I support the Mathias-Eagleton bill, S. 1421, that would return the National Archives to the independent status under which it operated between its establishment in 1934 and 1949 when it became a subordinate agency of the General Services Administration. My opinion is based on a concern for the quality and extent of service that the National Archives has been in a position to provide to the Senate over the past decade. I recognize that the majority of the National Archives' holdings are records of the executive departments and that there may be legitimate reasons of cost and organizational efficiency that would compel the maintenance of the status quo. However, I strongly believe that the federal agency that preserves the permanent records of the entire national government, including more than 40,000 cubic feet of Senate and House records, should be equally responsive to all three branches. With regard to Senate records, the National Archives' relationship with the General Services Administration has not been supportive of consistently effective service.

The records of the Senate at the National Archives include 15,000 cubic feet of original bills, reports, executive communications, petitions, memorials, and committee files dating back to the creation of the Republic in 1789. These records have suffered the trials of a nomadic existence from the time of the government's initial relocation in 1790 down to the present. In 1800, the files of the first six Congresses were loaded aboard a coastal packet and sent from Philadelphia to the new capital on the Potomac. In 1814, a majority of the House's valuable records were destroyed when the British set fire to the Capitol. The quick action of a clerk in the Secretary's office, however, saved the Senate's priceless collection.

Even more hazardous to the records of the Senate than dangerous sea voyages and invading armies, was the century of neglect that followed. Over the years, clerks sent records that had outlived their immediate usefulness to the darkest, dankest rooms of the Capitol's basement; to those chambers unfit for human occupation or supplies. In a 1937 report, a professional archival examiner described to the Senate the condition of those records, stating that most of them had "been subject to severe hazards. Some of the volumes," the report continued, "are stacked on the concrete floor. Water has seeped through the floor of the terrace abo. and cockroaches and other insects have damaged many of the documents."

In 1927, a young employee of the Secretary's office went to a terrace storeroom in search of a document. Cautiously opening the door, he found himself faced with a mountain of papers in filing cases, stacked in boxes, or just scattered about the floor. He reported that his entrance had disturbed a host of mice and swarms of fat roaches. Groping his way across the dark room, he reached for the light switch. When the single yellow bulb came on, he found that he was standing on an official-looking document. Picking it up, he discovered two markings on it: the print of his rubber heel and the signature of Vice President John C. Calhoun.

Over the following decade, that clerk, with the Secretary's support, was instrumental in having the Senate's scattered collections sent to the then newly-opened and independent National Archives. At the time of their transfer in 1937, the archival examiner observed that "from the standpoint of historical as well as intrinsic interest, this is perhaps the most valuable collection of records in the entire Government. It touches all phases of governmental activity, and contains a vast amount of research material that has never been used."

In 1946, the passage of the Legislative Reorganization Act resulted in an increased flow of Senate records to the National Archives and, for the first time, the House of Representatives transferred to the Archives, from a Library of Congress vault, the entire body of its permanent records. For the next twenty-three years, a staff of eight professional archivists and preservation specialists served the records of Congress. In 1969, without advance notice, the management of the National Archives abolished the separate legislative records branch, merging it with units dealing with treasury and judicial records. In 1978, the National Archives informed my office that it was again shifting administrative control of legislative records, assigning them to the branch having custody of files created by the Interior and Agriculture departments. Despite a strong protest from then Secretary Kimmitt, the transfer went ahead as planned.

Shortly after the 1978 reassignment, the Archivist of the United States wrote to the Secretary of the Senate to express his concerns about the lack of quality control and uniform access procedures for Senate records. He reminded the Secretary that unlike executive branch records, for which there are established disposition standards, legislative records had no such guidelines. He noted that the Archives had traditionally accepted every scrap of paper that Senate committees and officials had chosen to send. He said, "In some cases we have received stocks of publications, processed library material, and other reference matter that clearly have no value in documenting the activities of the Senate. In other cases," he continued, "the documentation in the files has been so scanty that committee staff members attempting to use it at a later date have reported to us that it proved valueless for their purposes. Similarly, we have received Senate records of quite recent date, while others created by the same committee are missing from our holdings." The Archivist also noted that some committees made no provision for public access to their records, suggesting that the eight dollar per cubic foot annual storage costs and staff administrative expenses were less-than-fully justified for a collection of inconsistent quality with access decisions left in the hands of committee clerks.

In response to the Archivist's letter, my office has taken several important steps during the past three years. It prepared, for the Senate's consideration, a resolution providing uniform public access guidelines for all Senate records at the National Archives. The Senate adopted that resolution last December. In April of this year, with the assistance of the National Archives, my office issued a forty-page guidebook to help committees determine which of their records merit the expense associated with their permanent preservation. That manual also outlines specific steps for the organization and transfer of permanent files. In June we sponsored a seminar for committee staffs on proper methods of records disposition. The panelists included staff from the National Archives experienced in the appraisal and reference use of Senate records, as well as staff from my office. That seminar produced a number of requests for on-site assistance, particularly in the wake of the unusually-large number of records subject to transfer as a result of the change of party control.

Today, unfortunately, the National Archives is not equipped to respond to the increased demand for its services as a result of our recent steps to improve the quality and accessibility of Senate records. From a staff of eight in 1969, the legislative records unit has now only two full time archivists and a technician, who spend half of their time servicing House records. The appraisal function has been separated from the reference and custodial unit, resulting in communication difficulties when committee staff call the reference personnel for assistance in deciding which of their specific files they should retire to the Archives. Consequently, many committees continue to send their records to humid Senate attics and basements, indefinitely postponing decisions on ultimate disposition and impeding subsequent committee reference use.

As I noted earlier, there is a great expense associated with the preservation of Senate records here and at the National Archives. Many of the old files in Senate attics and at the Archives deserve to be destroyed on a systematic basis. My staff estimates that the Senate collection in the Archives' custody could be reduced by fifteen percent with no diminution of its historical value. To ensure that the remaining collection receives the fullest and most effective use, we need to encourage the Archives to produce one or more guides to its contents. This would be a particularly appropriate project as the Senate nears its two hundredth anniversary. Last year, the Archives agreed to conduct an analysis of all Senate committee records of the 95th Congress in its possession to provide each committee with specific guidelines for future shipments. Now that project appears to be in jeopardy due to anticipated staff reductions.

The existing institutional arrangement has resulted in the reluctance of some committees to send any records to the National Archives, not wishing to subject them to possible executive branch scrutiny. The most notable recent example of this attitude occurred in 1974 when the Senate Select Committee on Presidential Campaign Activities (the "Watergate" Committee) retired its files to the Library of Congress. The Library is not equipped to serve as an archival repository and in 1980 the Select Committee's files were removed and sent to the National Archives.

Staff members from my office have held discussions with senior officials at the National Archives to suggest, without seeking to interfere in that executive agency's internal affairs, that a separate Archives' legislative branch be reestablished with combined reference and appraisal functions. Our recommendations have been politely received, but have been turned aside in the face of severe budgetary limitations and uncertainty about the views of the General Services Administration on previously-forbidden direct contacts with Congress.

As the volume of Senate records increases at an unprecedented rate and the costs of their storage escalates, their effective management is assuming an importance greater than at any other time in this body's history. After decades of neglect, the time has come for the archival legacy of this institution to be accorded the care and attention that an independent National Archives would seem to be in a position to provide.

With best personal wishes, I am,

Sincerely,

Bill

MCDONNELL DOUGLAS
CORPORATION

24 November 1981
No. 101

Honorable Ted Stevens
United States Senate
Chairman for Committee on
Governmental Affairs
Subcommittee on
Civil Service, Post Office, and
General Services
Washington D.C. 20510

Dear Senator Stevens:

I appreciate the opportunity to comment on the Bill to create an "independent National Archives Administration". The opinions expressed herein are my own and do not necessarily represent the position or opinion of the officers of the corporation which employes me.

During my tenure as Administrator of GSA, I found the current organizational arrangement a satisfactory one as regards Records Management, but not necessarily for the adademically oriented National Archives. As a matter of interest, I believe the Library of Congress and the National Archives have much in common and could be jointly administered except for the fact one is the legislative branch and the other is in the executive. The National Archives is misplaced in GSA. Its constituency and its responsibilities are more closely aligned with the academic community than with an agency responsible for the logistic support of the government. The archival portion should be separated and combined with either the Library of Congress or the Smithsonian as it is too small to justify the substantial increased overhead costs required to exist as a separate entity.

I make two careful distinctions, however, between the archival functions and the records management function. The latter should stay with GSA and hopefully funded to modernize records management so we can realistically dispose of the millions of cubic feet of records now in storage of a non-archival nature and better manage the creation of records. This problem exists because of lack of cooperation between the various agencies of the executive who set unreasonable disposal dates and the opposition of most to the use of micro-fische and tape for record creation and storage. The archivists will argue it is essential for the funding to remain together. This is not so. Separation can provide a check and balance between the desires of the archival community for original traceable records and the need to reduce the ever growing paper storage problem.

P. O. Box 516, Saint Louis, Missouri 63166

There is no question that National Archives has from time to time suffered under the benign neglect of GSA, however, I don't believe that separation is the answer but rather focusing accountability on the Administrator of GSA. However, if the archival community had spent as much time and effort making the current system work as they have trying to tear it down, I believe it is quite a workable arrangement. The only problem I had was when I wanted to use modern ADP and telecommunication techniques to access regionally stored archival records and transfer records (which was already being done) to our regional sites. Needless to say, any such modernization is opposed. For this reason and the need to look to the automated office of the future, I urge you to consider separation of the National Archives (although it is functional in its current organizational location) and leave the office management and records management function with GSA. If GSA is properly shrunk in size and becomes, as the original acts of Congress intended a primarily regulatory agency, proper attention could be paid to the Archival and records management function.

Summary

a. It works where it is, inspite of the archival status seekers.

b. It needs more fiscal support in Automated Data Processing/ telecommunications and preservation.

c. It is a tough organizational assignment to administer but needs the major support provided by GSA or a like agency.

Very truly yours,

R. G. Freeman III
Staff Vice President-Strategic Planning
MCDONNELL DOUGLAS CORPORATION

RGF:tk

Robert L. Kunzig
Judge

Chambers
United States Court of Claims
717 Madison Place, N.W.
Washington, D.C. 20005

December 4, 1981

Honorable Ted Stevens
Chairman, Committee on Governmental Affairs
Subcommittee on Civil Service, Post Office,
and General Services
Washington, D.C. 20510

Dear Senator Stevens:

I am in receipt of your letter of recent date concerning S. 1421, a bill to establish an independent National Archives Administration and to provide for Presidential appointment of the archivist for a ten-year term. You ask me because of my professional interest in the Archives and my past experience as Administrator of General Services of the United States to comment on the current organizational arrangement and the new bill.

As you know, I have discussed the matter in some detail with your assistant, Wayne Schley. My written comments are listed below in numerical order, in an effort to be brief:

1. The new bill would be extremely expensive and require separate archival administration and financing. It would necessarily add many more dollars to the budget.
2. All studies and texts on good government emphasize that a President should have strong control over all departments and agencies under him. The studies suggest that it is important to have *less* dangling, independent agencies, not *more*.
3. The Hoover Commission, many years ago, put together a whole group of independent agencies and called them the General Services Administration. We would not gain by reversing the work of one of the most outstanding, highly respected commissions in our nation's history.
4. Virtually the most important work done by the so-called "Archives" is the management of the entire *records* of our federal government. The control of these records requires

great expertise and administrative abilities. It has almost nothing to do with the historical archival functions. I'm very much afraid that the more exciting and intersting archival features would be stressed and records would easily be ignored under the proposed bill.

5. The libraries of ex-Presidents come under the Archivist. Any current President always has a close, private relationship with an ex-President, and the library aides given by the current President to the ex-President are an extremely important phase of this relationship. These libraries now come under the direct control of the current President and his personal appointees. They should remain that way. Control of Presidential libraries and relationships between presidents should not come solely under historical specialists, no matter how outstanding the specialist might be.
6. The President has the right to control all departments and agencies of our executive branch of government. The less control the President has over management, the worse shape our government will be in.
7. The entire problem of the Archives admittedly has a relationship with historians and has to do with history, but the entire idea of a separate Archives has far more to do with management. It cannot possibly injure or hurt the Archives to have just one person over the Archivist (as we do today). This one person is an appointee of the current President, is usually close to that President, and brings management and executive control to the National Archives.

As you can see, I feel that the present system established by former President Hoover and President Truman should be kept in place. I strongly recommend that S. 1421, setting up an independent National Archives Administration fail of passage.

Thank you very much for inviting me to add my comments to the record.

Sincerely,

Robert L. Kuenzig

LONE STAR INDUSTRIES, INC.
ONE GREENWICH PLAZA
GREENWICH, CONN. 06830
203 - [illegible]

Arthur F. Sampson
Vice President

December 21, 1981

Honorable Ted Stevens, Chairman
Subcommittee on Civil Service, Post Office
and General Services
Washington, D.C. 20510

Dear Senator Stevens:

I received your letter of November 13, 1981 relating to S. 1421. While Administrator of GSA I had an unusual amount of activity with the National Archives and consequently became very familiar with their organization, structure and national role.

I strongly oppose the bill for the following reasons:

1. A separate agency would add costs without any apparent benefit.
2. We do not need another separate agency. In fact, we need fewer.
3. All Presidents should have strong control over all departments. This bill takes control away.
4. The Archives has many serious responsibilities in addition to historical archival functions: federal records management; presidential papers and tapes; security of secret documents and criminal evidence; etc. It is important that these responsibilities be carried out by expert managers and that each administration be held accountable for results. This bill eliminates that kind of accountability and greatly reduces a President's power to change managers should that be necessary.
5. Lastly, I object to this bill because it goes against the grain of our political system. History can be easily skewed. I think we have a better chance of obtaining a balance in the Archive's impact on history if archival personnel at all levels of work are selected by various administrations rather than one Archivist doing so for ten years.

Sincerely,

Arthur F. Sampson
Former Administrator of GSA

AFS/edb

Solomon Development Company

St. Cloud Corner
500 Church Street
Nashville, TN 37219
(615) 244-4440

60 East 56th Street
New York, N.Y. 10022
(212) 751-6610

DEC 03 REC'D

November 30th, 1981

Senator Ted Stevens
Chairman
United States Senate
Committee on Governmental Affairs
Subcommittee on Civil Service, Post Office,
and General Services
Washington, D.C. 20510

Dear Senator:

I have your letter of November 13th concerning the subcommittee hearing on S.1421. I think that the bill is very interesting.

I did testify while I was Administrator of General Services Administration that I did not think that the National Archives and Record Service would fair well being an independent agency. The Archives performed a service for the federal government that is very similar to other services that G.S.A. performed. Also it is superfluous to create more independent agencies. I also believe that the Administrator of G.S.A. could represent the Archives much better than they could themselves. I took a personal interest in the Archives and spent much time with them. They have a great need for more fund to preserve the documents on the history of this country. It is really hard to see all of this deteriorating.

If you would like for me to refile the testimony of a few years ago, I'll be glad to send it to you.

Yours very truly,

Jay Solomon

JS/ll

UNIVERSITY OF WASHINGTON
SEATTLE, WASHINGTON 98195

Department of History, DP-20

February 8, 1982

Senator Ted Stevens
Chairman, Subcommittee on Civil Service,
Post Office and General Services
United States Senate
Washington, D.C. 20510

Dear Senator Stevens:

I wish to express to you my strong support for S. 1421. I write to you as an historian engaged in research in the National Archives and the Presidential Libraries for over forty years, as a past president of the Organization of American Historians, and as a member of the National Study Commission on the Records and Documents of Federal Officials from 1976-1977. As you know, it was the strong recommendation of that commission that the National Archives and Presidential Libraries be separated from the General Services Administration. There are overwhelming reasons for re-establishing it as an independent agency which was what both President Hoover and President Roosevelt intended. It is a step which would win you the gratitude of everyone in the country who is concerned about the future of American historical studies. It not only would not cost the taxpayers, it would save a good deal by reducing red tape insisted upon by GSA, which applies to the administration of archives and historical records the same general regulations that govern the supervision of janitorial service and the stockpiling of paper towels and toilet paper. I am well aware of course that the present Administrator of GSA is managing the archives in a far more satisfactory fashion than the ludicrous, indeed frightening, way of his predecessor. Nonetheless, the concerns of the GSA and of the National Archives and Records Service are so fundamentally different, that there is a continuing danger of serious damage to the lasting historical records of the nation. It is a felicitous fact that the need for economy and sound management in government at this point would coincide with the better protection and utilization of the American historical heritage.

I do very much hope that the Senate will pass S. 1421 during the current session.

With best wishes,

Sincerely,

Frank Freidel
Bullitt Professor of American History
Charles Warren Professor of American
History, Emeritus (Harvard)

FF:js

Telephone: (206) 543-5790

national genealogical society ESTABLISHED 1903

1921 SUNDERLAND PLACE, N.W., WASHINGTON, D.C. 20036 PHONE: (202) 785-2123

October 27, 1981

The Honorable Charles McC. Mathias, Jr.
United States Senate
Washington, DC 20510

Dear Senator Mathias:

The National Genealogical Society, founded in 1903, is one of the oldest genealogical societies in the United States. Our nearly 5,000 members, including both professional and amateur genealogists, reside in every state in the Union and several foreign countries.

As a society that encourages scholarly research based on documentary evidence, we have a direct interest in the ability of the National Archives to preserve and make available for research the historical records of the federal government.

Enclosed is a resolution adopted by our Council in support of S. 1421, the National Archives and Records Administration Act of 1981. We appreciate your sponsorship of this legislation, and stand ready to be helpful in any way we can in achieving its enactment.

Sincerely,

Phyllis W. Johnson

Phyllis W. Johnson
President

Enclosure

national genealogical society ESTABLISHED 1903

1921 SUNDERLAND PLACE, N.W., WASHINGTON, D.C. 20036 PHONE: (202) 785-2123

RESOLUTION OF THE NATIONAL GENEALOGICAL SOCIETY

26 October 1981

WHEREAS the National Archives is the repository for historical records of the federal government of value to genealogists, and genealogists constitute a large majority of those persons who use National Archives research facilities and reference services; and

WHEREAS the current status of the National Archives as a service within the General Services Administration undermines its ability to fulfill its responsibilities to acquire, preserve, and make available to the public the historical records of the federal government, in that

The Archivist of the United States is appointed by, is subordinate to, and may be removed by the Administrator of General Services;

Final statutory authority for archival programs is vested in the Administrator of General Services rather than in the Archivist of the United States; and

The Archivist of the United States is prohibited from initiating direct contact with the Office of Management and Budget and the Congress of the United States; and

WHEREAS these conditions have resulted in instances in which important decisions with regard to the disposition of records of the federal government have been made by the Administrator of General Services without consultation with, or contrary to the considered judgment of, the Archivist of the United States;

In management principles appropriate to other functions of the General Services Administration being applied inappropriately to educational and cultural programs of the National Archives and Records Service; and

In the near stagnation of the budget of the National Archives and Records Service, in spite of a rapidly increasing workload and increased budgets for other federal cultural agencies, which threatens to further curtail the preservation of federal records and the availability of research facilities and reference services to genealogists and other members of the public; and

WHEREAS the ability of the National Archives to fulfill its responsibilities to acquire, preserve, and make available to the public the historical records of the federal government would be enhanced by establishing the National Archives and Records Administration as an independent agency of the federal government, with statutory authority for archival programs vested in an independent Archivist of the United States appointed by the President with the advice and consent of the Senate for a fixed term;

THEREFORE, it is resolved by the Council of the National Genealogical Society that we support the enactment of S. 1421, the National Archives and Records Administration Act of 1981;

That the Society's views be communicated to the appropriate officials of the Congress of the United States; and

That members of the Society be urged to communicate with their Senators and Representatives to recommend enactment of this legislation.

Attest: Margaret E. Higgins
Secretary

Washington, D.C., 26 October 1981

STATEMENT OF
DR. H. G. JONES, FORMER PRESIDENT OF THE SOCIETY OF AMERICAN ARCHIVISTS, IN SUPPORT OF S. 1421
("NATIONAL ARCHIVES AND RECORDS ADMINISTRATION ACT OF 1981")

20 October 1981

In 1967 the American Historical Association, Organization of American Historians, and Society of American Archivists established the Joint Committee on the Status of the National Archives composed of six members: Julian P. Boyd, Louis Morton (replacing Kent Roberts Greenfield who died), Fletcher M. Green, David A. Shannon, William T. Alderson, and myself. As the name indicated, the purpose of the Committee was to study the status of the National Archives and Records Service and to report its findings and recommendations.

At the request of the Committee, I took a leave of absence from my position as State Archivist of North Carolina and conducted an intensive study which, with contributions from members of the Joint Committee, was summarized in a formal report containing three specific recommendations:

1. The integrity of the entire archival program of the nation in all of its varied functions as now constituted must be preserved.
2. The cultural and educational functions of the National Archives and Records Service, which have failed to receive the attention and support they deserve, must be strengthened.
3. The national archival and records management system should be restored to independent status as the National Archives and Records Authority, administered by an Archivist of the United States appointed by the President and responsible to a Board of Regents.

Both my full report and the Committee's official summary report were published in H. G. Jones, The Records of a Nation (New York: Atheneum, 1969), which was distributed to every member of the Congress and to key officials in the executive branch, and which had a considerable sale in the academic community. The recommendations were endorsed verbatim by the governing bodies of the American Historical Association and Organization of American Historians and in a modified form by the Society of American Archivists.

These recommendations, however, were virtually obscured after the Administrator of the General Services Administration launched an attack upon the motives of the Joint Committee and forced the leadership of the National Archives to disavow support of the proposals. Their contention that the archival and records management functions were doing just fine in GSA, coupled with extensive use of the government's nationwide telephone system to counter the Joint Committee's findings, caused confusion among both historians and archivists. The Committee, of course, did not have access to public monies and was unable to engage in a costly campaign. Thus what had been launched as a well publicized effort by three prestigious professional organizations to improve the programs and raise the stature of NARS was thwarted by a bureaucracy defending the status quo. The lesson learned in 1967-1969 must be remembered in 1981: neither GSA nor the Congress should place the Archivist of the United

States and his staff in jeopardy by requiring their involvement in the issue of independence. We have an outstanding Archivist whose influence and effectiveness must not be impeded by the debate that naturally will be required in the consideration of S. 1421.

During the dozen years that have passed since the publication of the Joint Committee's report, the integrity of the archival program has generally been maintained (see the next paragraph for one glaring violation of this integrity), and some progress has been made toward strengthening the cultural and educational functions of NARS. Until now, however, no serious effort has been made to carry out the third recommendation of the Joint Committee--that the archival and records management program be restored to independent status.

I shall not take your Committee's time by repeating what I published in the chapter, "An Appeal to Statesmanship," in The Records of a Nation (pages 253 through 265) except to say that developments during the past dozen years have proved my earlier words prophetic. The violence done to archival principles by the Nixon-Samson agreement alone is sufficient to illustrate the dangers to which I alluded and to justify the return of professional decision-making to the Archivist of the United States. The hallmark of its dignity must be returned to the National Archives so that professional decisions can be made without the interference of raw politics.

Thus I support S. 1421, for its passage would accomplish essentially what I have advocated for many years. Although I still like the "Board of Regents" idea (but with the possible elimination of former Presidents as members), such a body certainly is not essential to the proper functioning of an independent archives and records administration. Under provisions of S. 1421, the Archivist could establish a powerful and prestigious advisory committee that might serve the same purpose.

My colleagues will add new justifications for the restoration of independent status to the national archival agency. I wanted only to reiterate my longtime advocacy of independence and to say that legislation that was needed in 1969 is infinitely more essential in 1981.

H. G. Jones

H. G. Jones

University of North Carolina
at Chapel Hill

NEW ENGLAND ARCHIVISTS
Incorporated

c/o University of Mass. Library
Amherst, MA 01003
December 2, 1981

Hon. Ted Stevens, Chairman
Subcommittee on Civil Service, Post
Office, and General Services
United States Senate
Washington, DC 20510

Dear Senator Stevens:

On behalf of New England Archivists and of its current president, James M. O'Toole, Archivist of the Archdiocese of Boston (who is recovering from minor surgery), I should like to thank you for your letter of November 13, 1981 inviting comments on S. 1421.

I believe that I join the vast majority of professional archivists and of those who are concerned for the quality of the federal archival and records services in thanking Senators Eagleton and Mathias for introducing S. 1421. In my view, the administrative location of the National Archives and Records Service within the General Services Administration has always been inappropriate. It is inconsistent with the importance of the functions of NARS as they relate to the rest of the federal government and to the American people. It is inconsistent with the visibility which should accompany that importance, and, as events of the past seven years have made painfully clear, it is at odds with the integrity of archival and other records functions. The subordination of NARS to the Administrator of General Services, a political appointee almost certain to be without the qualifications or interest to maintain and improve federal records services, and equally certain to devote major attention to such heavily-funded subdivisions of his responsibility as the Federal Supply Service, the Public Buildings Service, and the Transportation and Public Utilities Service, is bound to have deleterious effects on the capacity of NARS to manage the creation, organization, appraisal, preservation, and disposition of federal records. Simply naming the above major units of GSA points up the fact that the National Archives and Records Service as located within GSA is grouped with activities not even remotely related to its own, with the barely possible exception of the Automated Data and Telecommunications Service.

The administrative locations of the national archives of such other developed countries as Canada, the United Kingdom, France, and West Germany provide instructive contrasts with our present wholly unsatisfactory arrangement. Without exception, the heads of these archival agencies are directly responsible to cabinet-level ministers responsible for vitally and centrally important government functions. In Canada, the Dominion Archivist is responsible to the Secretary of State; in the United Kingdom, the Keeper of the Public Records is responsible to the Lord Chancellor; in France, the Director General of the Archives is responsible to the Minister of Culture and Communication; and in West Germany, the President of the Bundesarchiv is responsible to the Minister of the Interior.

Not all of these arrangements are in every respect ideal, from an American point of view, but all of them recognize the importance of the national archives to the continuing effective life of the nation and to the conduct of the nation's business, and all of them place the archives with other agencies and within ministries whose activities are appropriately related to the work of a records service. In Canada, the Dominion Archivist is actually the Deputy Director of the Public Archives, the Director being the "Appropriate Minister," i.e., the Secretary of State, whose responsibilities focus on Canadian citizenship law, policy, and programs and on many aspects of Canadian cultural life, and include the administration of the National Broadcasting Act, the National Library Act, and the National Museums Act, as well as the National Archives Act. In France, the Direction des Archives has as its peers within the Ministry agencies responsible for the government's participation in all major cultural activities: museum administration, public libraries, the national patrimony (archaeology and historic sites), theatre, film, and music, for example, which fact emphasizes the cultural/intellectual values in the public records. In Germany (where the Bundesminister des Innern presides over an admittedly rather bewildering array of offices), the Bundesarchiv reports to the minister jointly with agencies responsible for the oversight of the federal constitution, for law enforcement, for training in public administration, for statistical studies for population research, for museums, for the national library; here the emphasis is on the legal and constitutional, as well as the research and cultural values in the public records. In the United Kingdom, the Lord Chancellor is the principal legal adviser to the Crown, is therefore a lawyer, and has important responsibilities in relation to judicial appointments and administration; that the Public Records Office is among the responsibilities of that minister again makes very clear the legal and constitutional importance of the public records.

Only in the United States has it occurred to government reorganizers that the public records are merely another kind of "property," like paper clips, which can appropriately be entrusted to an agency whose concerns are "the construction and operation of buildings, procurement and distribution of supplies, utilization and disposal of property, transportation, traffic, and communications management, stockpiling of strategic materials, and the management of the government-wide automatic data processing resources program" -- to quote the U.S. Government manual. The public records of the United States have thus been assigned for their management to a combination of purchasing department, department of buildings and grounds, and motor pool.

Although as I have indicated, none of the countries mentioned above can provide an exact model for the administrative location of the U.S. National Archives and Records Service, nevertheless of the five administrative arrangements surveyed, ours in the United States is clearly the worst. As the Congress readdresses the question, its decision must be based on an understanding of the importance of information of all kinds in government operations, information in records that federal agencies generate on an increasingly astronomical scale and that must therefore be suitably managed if the information which they contain is to be made available for use.

More fundamentally, however, under our system of government, sound public administration requires sound, professional, and impartial management of the records created or received by the federal government in the course of transacting the people's business. Such management, addressing the creation, retention, and ultimate disposition of those records goes in fact to the very heart of our system of government: for records properly preserved and made available form the basis on which the people are enabled to assess the conduct of their business by elected and appointed officials and by the agencies in which they serve.

I believe that S. 1421 addresses these concerns and ought to be reported on favorably by the subcommittee and the full committee. We shall follow the progress of this legislation with keen interest.

Very truly yours,

John D. Kendall

John D. Kendall
Past President
New England Archivists

JDK/am

National Conservation Advisory Council

December 1, 1981

Honorable Ted Stevens
Chairman
Subcommittee on Civil Service,
Post Office and General Services
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Senator Stevens:

I am responding to your letter of November 13, 1981, asking for comments on S. 1421, a bill to establish an independent National Archives Administration and to provide for Presidential appointment of the Archivist for a ten-year term. The Board of Directors of the National Conservation Advisory Council, Incorporated and the Chairman of NCAC's Committee on Libraries and Archives agree completely with the proposal to create an independent administration. The names and affiliations of these individuals are provided in the attached list.

The National Archives and Records Service has major, national cultural responsibilities and provides virtually irreplaceable services to the people of the United States. However, the location of NARS within the General Services Administration negatively affects its ability to carry out its mandate efficiently and effectively. The problem is two fold: first, because NARS is a very small part of a very large bureaucracy, it tends to suffer from a lack of regular and direct contact with the Congress, interaction that is vital to creating understanding of and support for its special programs; and second, because NARS is unique among the many programs under GSA oversight, it tends to suffer from a lack of understanding among the senior officials at GSA. The level of attention paid to NARS within GSA has created a multitude of unnecessary problems that combine to jeopardize the establishment and/or maintenance of extremely important policies, programs and services.

Creation of an independent National Archives Administration would have a variety of immediately beneficial effects. First, it would elevate the National Archives and Records Service to a position equal to those of the Library of Congress and the Smithsonian Institution. This would permit faster response to critical issues that affect archives throughout the United States by removing the necessity to channel information through the entire GSA chain of command. Second, it would permit and encourage more frequent, direct interaction with the Members of Congress responsible for providing oversight for NARS. This undoubtedly will lead to a better understanding of the unique programs of NARS, their special requirements and the level of support necessary to meet mandated responsibilities. It will create a structure in which NARS will have its own professional support, for example, in the area of legal services. This will help assure that critical judgments, for example on the Freedom of Information Act, are not made without sufficient regard for their ultimate affect on the historically valuable records within NARS. Finally, it will permit senior officials at NARS to devote more time to their direct responsibilities, by removing the necessity to serve on countless GSA panels, committees and task forces that have little, if any, relevance to the policies, programs and services of NARS.

The National Conservation Advisory Council was created in 1973 to consider national conservation problems, to recommend solutions for them and to consider and propose national-level programs to improve conservation capability in the United States. Promotion of better public understanding of the needs and problems of conservation is a major element of NCAC's purpose. Creation of an independent archives administration would not only enhance NARS' ability to focus attention on its needs, problems, programs and services, but it would improve greatly the ability of NARS to focus on and meet national conservation problems. It must be emphasized that the conservation of historic documents is a major, ongoing responsibility of NARS, a responsibility that will best be served by freeing it from the oversight of GSA.

Thank you for the invitation to comment on S. 1421.

Sincerely,

David A. Shute

David A. Shute
Executive Director

National Conservation Advisory Council

Board of Directors

Arthur Beale, Chairman
Director
Center for Conservation and Technical Studies
Fogg Art Museum, Harvard University

Charles F. Hummel, Vice Chairman
Deputy Director for Collections
Henry Francis du Pont Winterthur Museum

Gretchen Gayle Ellsworth, Secretary
Director, Office of Fellowships and Grants
Smithsonian Institution

John R. Spencer, Treasurer
Chairman, Art Department
Duke University

Marigene H. Butler, Member-at-Large
Conservator
Philadelphia Museum of Art

Ann Hitchcock, Member-at-Large
Chief Curator
National Park Service

David A. Shute, Executive Director, NCAC

Terry D. Weisser, Member-at-Large
Director, Conservation and Technical Research
Walters Art Gallery

NCAC Committee on Libraries and Archives

Paul N. Banks, Chairman
Director of Program for Conservators of Library
    and Archival Materials and of Program for
    Preservation Administrators
Columbia University

AN ADVISORY BODY ORGANIZED TO CONSIDER NATIONAL NEEDS IN THE
CONSERVATION OF HISTORIC AND ARTISTIC WORKS IN THE UNITED STATES

ADMINISTRATIVE OFFICE: C/O A & I-2225, SMITHSONIAN INSTITUTION
WASHINGTON, D.C. 20560 · 202-357-2295

THE ASSOCIATION FOR DOCUMENTARY EDITING

November 20, 1981

Senator Ted Stevens
260 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Stevens:

Thank you for your letter of November 13 inviting comment on S. 1421. Fortunately, I am able to write in behalf of the membership of the Association for Documentary Editing on the basis of a resolution favoring an independent National Archives, unanimously passed at our 1980 business meeting.

Many of the members of the ADE, like myself, make heavy use of the materials in the National Archives and have a great concern for the welfare of the Archives. We know that its stability and future success as a guardian of our national heritage will be furthered by the proposed legislation. Archivists and historians have discussed the independence of the Archives for many years, developing a consensus favoring the proposed legislation.

Both of us are older than the National Archives, but within our lifetimes the profession of archivist and the practice of archival science have come of age in this country. As one who has long worked with archivists, not only in the National Archives but around the country, I know that the profession has developed administrative standards along with its procedures for the preservation and dissemination of documents. In other words, an administrative shelter is not only unnecessary but, as demonstrated by problems arising in recent years, detrimental. So long as the National Archives remains within the General Services Administration or fails to achieve an independent status, proper archival techniques are in jeopardy. Before waiting to see what further damage will occur under the present structure, the members of ADE would urge the passage of S. 1421 and would be willing to assist in any way possible to secure its enactment.

Sincerely yours,

John Y. Simon

John Y. Simon
Past President

JYS:sd

President
John Y. Simon
The Ulysses S. Grant Association
Southern Illinois University
Carbondale, Ill. 62901

President-Elect
Don L. Cook
A Selected Edition of W. D. Howells
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Bloomington, Ind. 47405

Director of Publications
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Smithsonian Institution
Washington, D.C. 20560

Secretary-Treasurer
Raymond W. Smock
The Booker T. Washington Papers
History Dept., University of Maryland
College Park, Md. 20742

The Society for History in the Federal Government
Box 14139 Benjamin Franklin Station Washington, D.C. 20044

October 19, 1981

Senator Ted Stevens
Chairman, Subcommittee on Civil Service,
Post Office, and General Government
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Senator Stevens:

Enclosed please find a statement from the Society for History in the Federal Government concerning the bill numbered S. 1421 providing for an independent National Archives and Records Administration. This submission responds to an invitation from Senator Charles McC. Mathias, Jr. in a letter dated October 2, 1981.

The Society for History in the Federal Government much appreciates this opportunity to express its views on a question of vital interest not only to its members but to the country at large.

With best wishes,

Sincerely,

David F. Trask

David F. Trask
President

The Society for History in the Federal Government
Box 14139 Benjamin Franklin Station Washington, D.C. 20044

A STATEMENT ON S. 1421, CREATING AN INDEPENDENT NATIONAL ARCHIVES

The Society for History in the Federal Government, a private nonprofit organization composed of historians, archivists, historical preservationists, museum curators, librarians, genealogists, concerns itself with diverse U.S. Government activities pertaining to history. Since the Society's inception, one of its major concerns has been the ability of the National Archives and Records Service (NARS) to perform the vital functions with which it is charged by law. Abundant evidence, much of it drawn from the long experience of Society members, shows that subordination of NARS to the General Services Administration (GSA) impairs that ability. For this reason the Society for History in the Federal Government strongly supports S. 1421, which would create an independent National Archives and Records Administration.

Are excellent archives and records services properly described as "vital?" The Society firmly takes this position. If the nation fails both to preserve our governmental records and to provide free access to them for every citizen, we tacitly deny our past and embrace self-ignorance. We have avoided this dangerous condition by making Federal records available to a variety of users within government and outside of it. Academic researchers and other private users in fields including history, political science, economics, and sociology study Federal records to interpret our society and its institutions and thereby seek guidance for the present and the future. Genealogists, by tracing forebears in public records, strengthen their sense of family and community. Federal historians and government employees in related fields rely on government records as indispensable source material for agency histories and studies for the use of policy makers. In addition, agency historians use these records to provide reference services on a myriad of topics to both the agencies and the public. An increasingly complex and litigious society, furthermore, demands more frequent consultation of records by federal agencies for legal purposes. The uses to which we put our governmental records thus vary from disposing of legal claims, to making policy, to strengthening the social fabric. It should be self-evident that the functions of an agency charged with preserving and making available those records are indeed vital. Congress recognized this fact when it created the National Archives as an independent agency in 1934.

Fifteen years later NARS started down the road to many of its present problems when it was incorporated into the newly created General Services Administration. Ironically this move was a result of the desire, articulated by the first Hoover Commission, to increase government efficiency by reducing the number of independent agencies. Instead of increased efficiency, the cumulative effect of subordinating NARS to GSA has been the opposite. A great cultural and service program, responsible to the nation for the records of all branches of government, has become a low-priority activity within an agency whose primary responsibilities, in the areas of supply, communications, and transportation for only one branch of government,are far removed from archival needs and concerns. Predictably, GSA has applied only bookkeeping criteria to functions concerned ultimately with the preservation and transfer of knowledge. Learning has been lumped with lamps and rugs, the archive equated with the warehouse. Archivists who hold the intellectual keys to a priceless national treasure have watched in frustration as principles of profit and loss have compromised their ability to carry out their responsibilities. Because NARS deals with materials of intangible value and with functions not easily measured, it has had little success in convincing its narrowly management-oriented parent organization that steeply increased use of archival services demands greater funding. So far as it has addressed NARS's problems, GSA has concentrated attention on storage and, secondarily, preservation of records, expressing doubt that reference service is a basic archival function.

An example of GSA's inappropriate conception of archival matters is the insistence of a recent Administrator that greatly increased dispersion of the National Archives' holdings would be cost effective. Such dispersion might be cost effective in reducing expenses for storage of office supplies, but it is not cost effective when information is scattered. Groups of Federal records often need to be used in conjunction with one another, not only by researchers but by archivists answering inquiries and preparing finding aids. If carried out on the scale desired by GSA, records dispersion would have resulted in increased costs because of the expense of copying records needed in Washington for essential services.

In various ways GSA oversight of NARS imposes costly burdens that NARS, inadequately funded, is ill-prepared to shoulder. The National Archives loses significant staff time because of the requirement of mandatory participation in GSA task forces that bear little or no relation to NARS' statutory responsibilities. Further, NARS loses additional staff time in explaining to GSA why many of the task forces' proposals are inapplicable to itself. When allocating computer facilities, GSA considers administrative needs but not those of the program. Therefore NARS' efforts to automate its research finding aids have been frustrated. It is now likely that

NARS will be asked to subsidize the establishment of a special liaison office in GSA. This office's sole responsibility would be to ease communications between NARS and GSA. At present this "facilitation" is handled by an office in NARS that can devote at least some of its time to planning and analyzing archival programs. A new liaison office in GSA would offer no benefit to NARS in exchange for its cost.

Along with these difficulties the placement of NARS within GSA has created the danger of undesirable political influence and pressure in the process of records disposition. The most flagrant example of this tendency is the agreement made in 1974 between the GSA Administrator, a political appointee, and a former President. It would have permitted the latter to destroy irreplaceable historical materials. During this unsuccessful venture the GSA Administrator made persistent attempts to circumvent the National Archives. Although a GSA Administrator may be the most honest and upstanding of individuals, the political nature of his office exposes the occupant to pressures that threaten the integrity of Federal records.

It is time for all to acknowledge that the subordination of GSA to NARS in 1949, however well-intentioned, was a mistake. During the past three decades archivists and historians familiar with the situation have issued repeated calls for an independent National Archives. Current fiscal stringency renders the need for change even more pressing than before. As an agency that performs vital functions the National Archives desperately needs to recover the stature that will enable it to seek successfully the funds that it must have to perform its duties. While legitimate and necessary demands on its services have burgeoned in recent years, NARS' budget has not grown at a comparable rate. Only an independent Archivist of the United States, appointed by the President for a fixed term, stands a reasonable chance of correcting this situation.

As the head of an independent agency the Archivist would be in a better position to carry out legally mandated duties relating to the creation, identification, preservation, and servicing of Federal records. If given control of the allocation of funds to the various activities of the National Archives, he would be able to exercise his professional judgment fully when establishing priorities. Given the status and prestige that would result from restored independence, he would be in a strong position to deal with any attempt by agencies to destroy records that reflect unfavorably on them. He would also be able to exert greater influence on agencies to correct unreasonable delays in declassification of documents. Finally, an independent Archivist would be able to exert effective pressure on agencies to improve their records management. A recent report of the General Accounting Office cited the observation of many records managers that NARS lacks "clout" in this area ("Federal Records Management: A History of Neglect," February 24, 1981, PLRD-81-2, p. 29).

Great nations manifest a deep awareness of the significance that their pasts hold for their futures. It would be bitterly ironic if the United States, now celebrating the crowning battle of its fight for independence, should continue to deny independence to the institution entrusted with the care of so much of that venerable heritage.

○